DOCUMENT RESUME

ED 058 112 SO 001 989

AUTHOR Hervey, John G.
TITLE Federal Textbook on Citizenship. Our Constitution and Government: Lessons on the Constitution and Government of the United States for Use in the Public Schools by Candidates for Citizenship. Simplified Edition.
INSTITUTION Department of Justice, Washington, D.C.
PUB DATE 70
NOTE 236p.
AVAILABLE FROM Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 ($1.50)

EDRS PRICE MF-$0.65 HC Not Available from EDRS.
DESCRIPTORS *American Government (Course); Citizen Participation; *Citizenship; *Citizenship Responsibility; Civics; *Constitutional History; *Democracy; Democratic Values; Political Science; Public School Adult Education; Social Studies; Textbooks
IDENTIFIERS *Naturalization Programs

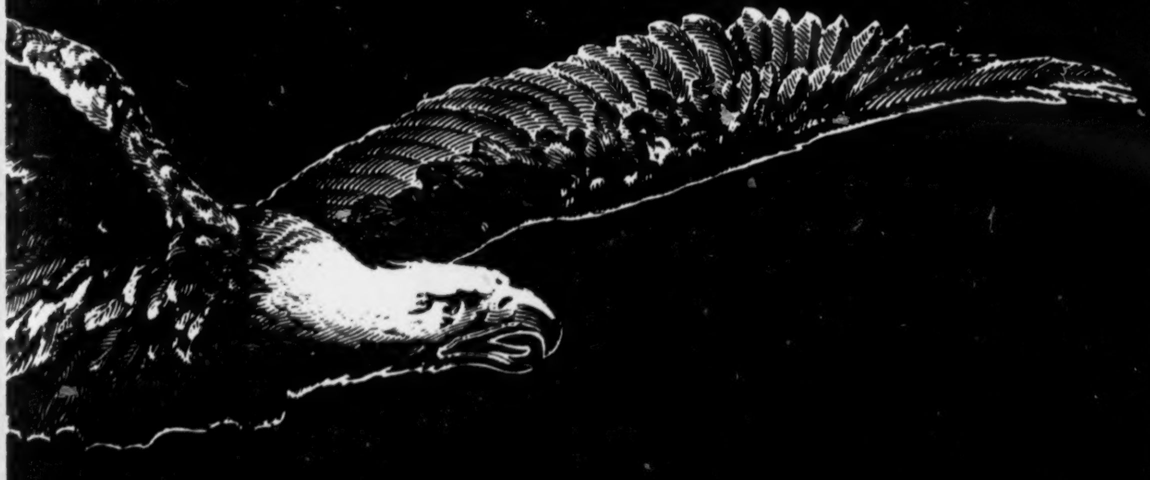
ABSTRACT

This aid to citizen preparation of candidates with a limited educational background, designed for use in public school citizenship class or home study situation, explains the fundamental principles of a democratic system of government in simple terms and concepts. An effort i s made to use concepts that the immigrant can relate to, such as the social contract and delegation of authority by the people as supported by the Constitution, to help the student understand and appreciate representative government. A short historical account of why and how the United States grew from an English colony into a Federal government is presented along with an explanation of how the failure of the Articles of Confederation lead to creation of the Constitution. Workings of the Constitution are explained in detail with a full description of the checks and balances of Legislative, Executive, and Judical government. Purpose and organization of federal, local, and state government are given as well as interrelationships between the three basic levels of government. Each chapter begins with a quotation from a famous American and ends with a suggested list of discussion questions and study activities. The Declaration of Independence and Constitution are included, as well as a glossary and eighteen illustrations and diagrams. Related documents are SO 001 990, and SO 001 991. (SJM)

FEDERAL TEXTBOOK ON CITIZENSHIP

Our Constitution and Government

Simplified Edition



1

ED0 58112

"PERMISSION TO REPRODUCE THIS COPYRIGHTED MATERIAL BY MICROFICHE ONLY HAS BEEN GRANTED BY
G.P.O.
TO ERIC AND ORGANIZATIONS OPERATING UNDER AGREEMENTS WITH THE U.S. OFFICE OF EDUCATION. FURTHER REPRODUCTION OUTSIDE THE ERIC SYSTEM REQUIRES PERMISSION OF THE COPYRIGHT OWNER."

Federal Textbook on Citizenship

☆ ☆ ☆

OUR CONSTITUTION AND GOVERNMENT

Lessons on the Constitution and
Government of the United States
for Use in the Public Schools by
Candidates for Citizenship

DEPARTMENT OF JUSTICE
IMMIGRATION & NATURALIZATION SERVICE

M–8

Simplified Edition Prepared by
JOHN G. HERVEY
Formerly Dean and Professor of Constitutional Law of the
School of Law of Temple University

Original Edition Prepared by
CATHERYN SECKLER-HUDSON
Formerly Professor of Political Science and Public Administration
Graduate School, The American University

(Revised 1970)

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
OFFICE OF EDUCATION
THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY.

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON, D.C. 20401

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C. 20402 - Price $1.50

TABLE OF CONTENTS

Chapter — Page

I. The Groups to Which We Belong 1
II. Our Citizens and How to Become a Citizen 9
III. How Our Nation Was Started 15
IV. The Making of Our Constitution 24
V. Putting the New Government to Work 33
VI. Early Changes in the Constitution and Government 41
VII. Other Changes in Our Constitution and Government 50
VIII. Giving the Government Authority to Do Its Work 59
IX. How "The People" Use Their Final Authority 68
X. Objectives of Our Federal Government 76
XI. How the Congress in Our Federal Government is Organized 84
XII. What Laws the Congress May Make and How They Are Made 95
XIII. The President of the United States 104
XIV. The President's Cabinet 113
XV. The Federal Courts and Their Work 122
XVI. The Purposes and Organization of State Governments 132
XVII. The Purposes and Organization of Local Governments 141
XVIII. How We Pay for Our Governments 151
XIX. How Our Different Governments Work Together 161
XX. Ways in Which Our Government Groups Work With Citizens 169
XXI. Basic Principles of Our Government 176
The Declaration of Independence 186
Constitution of the United States of America 192
List Giving Meanings of Special Words Used 217
Index 225

ILLUSTRATIONS

(Figure) — Page

Outline Map: United States of America Facing page 1
1. Laws Under Which the Citizen Lives 6
2. Kinds of Taxes the Colonists Had to Pay 18
3. Our Wheel of Government 29
4. Ratification of the Federal Constitution 35
5. Map: The United States of America 55
6. The American's Creed 64
7. The Objectives of Our Federal Government: Preamble of the Constitution 77
8. The Legislative Branch of Our Federal Government 85
9. Our National Capitol 91
10. How a Bill Becomes a Law 100
11. The President of the United States 105
12. The President and the Executive Agencies Having Cabinet Rank 115
13. Our Federal Courts 124
14. The Mayor-Council Form of City Government Organization 143
15. The City Manager Form of City Government Organization 147
16. We Must Pay for the Services of Our Government 154
17. The Great Seal of the United States 165
18. Some Basic Principles of Our Government 179

FOREWORD

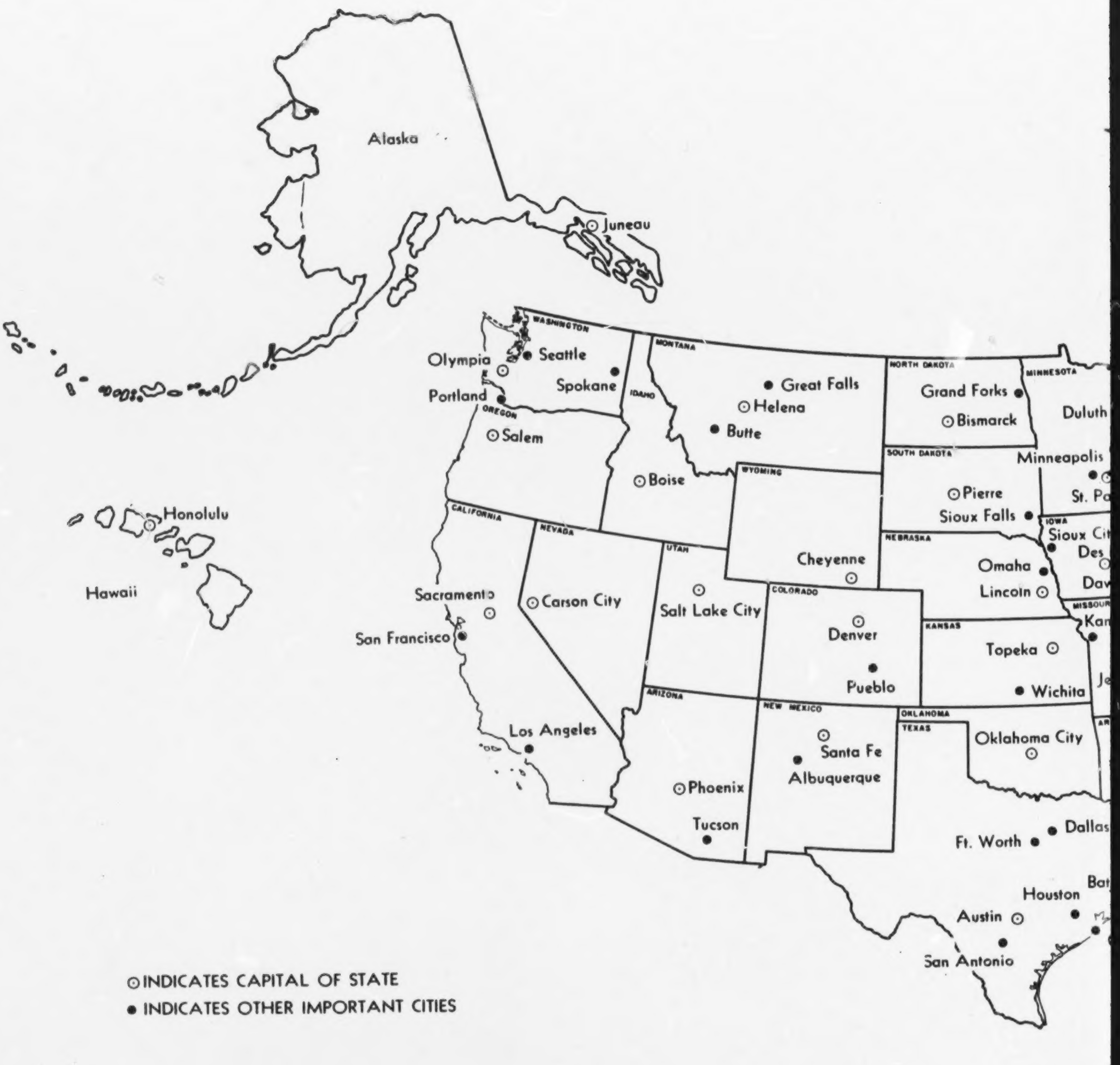
In the United States of America the Government serves all the people, but only the citizens have the right to choose the men who will run the Government.

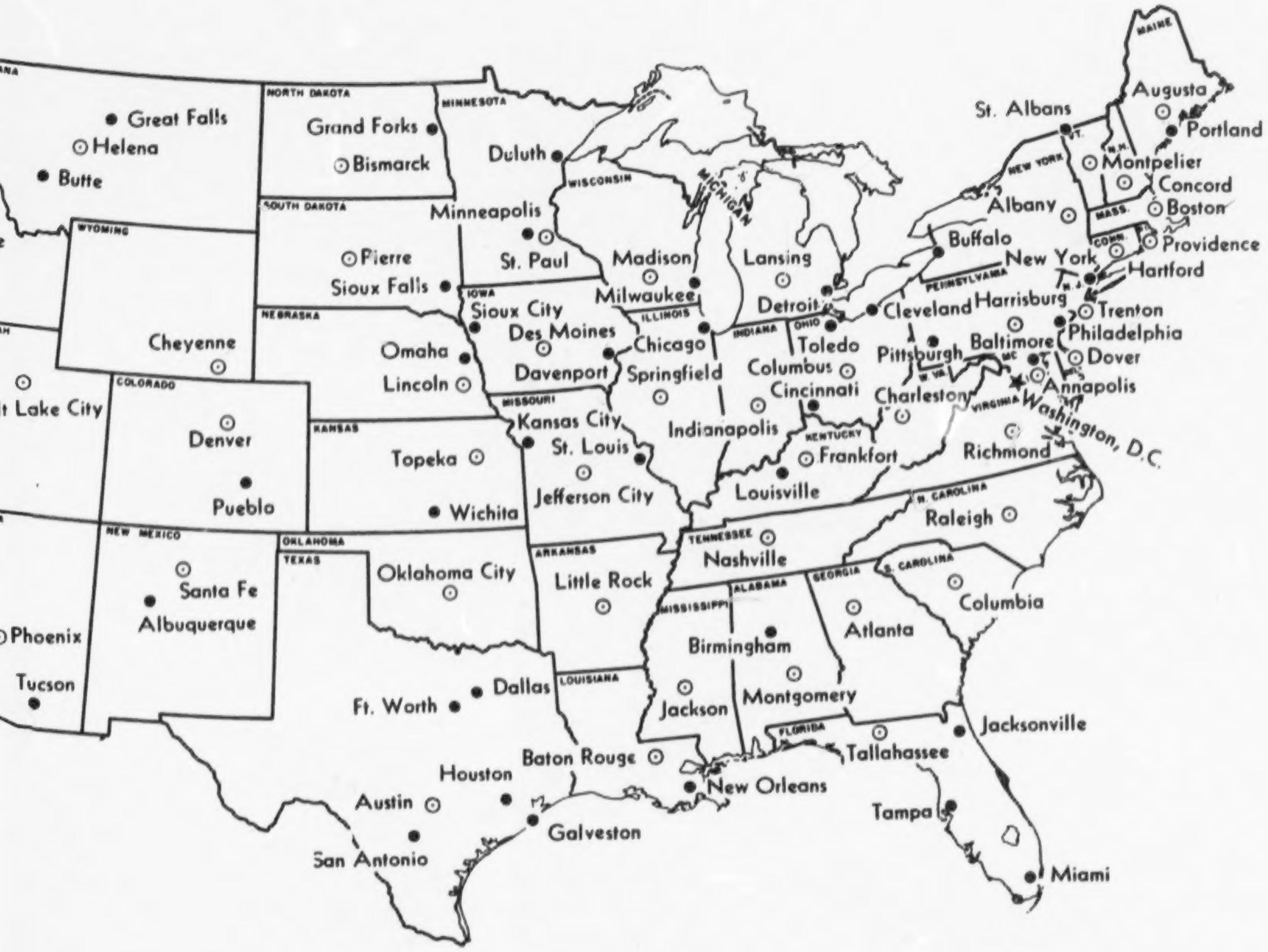
Most of our citizens were born in the United States. Others have come here by choice, and have become naturalized citizens. To aid those who wish to prepare for citizenship, the Immigration and Naturalization Service has published the Federal Textbook on Citizenship.

In 1940 this Service brought out a textbook entitled *Our Constitution and Government* by Dr. Catheryn Seckler-Hudson, formerly Professor of Political Science and Public Administration, Graduate School, The American University. It was soon felt that a similar book was needed to help individuals having a limited educational background. In 1941 Dr. John G. Hervey, then Dean and Professor of Constitutional Law of Temple University, was engaged to prepare the manuscript for this book, which was later published under the title, *Our Constitution and Government—Simplified Edition.* The Simplified Edition is based on Dr. Seckler-Hudson's book, covering essentially the same subject matter, but shorter, and using a simpler vocabulary. It has helped many persons of limited reading ability to an understanding and appreciation of our Constitution and form of Government.

This book is used, also, as the basic text for the *Home Study Course on Our Constitution and Government,* published by the Immigration and Naturalization Service to meet the needs of those foreign-born persons living in areas not served by public school citizenship classes.

Commissioner of Immigration
and Naturalization.


Alaska
Juneau
Honolulu
Hawaii
WASHINGTON
Olympia
Seattle
Spokane
Portland
OREGON
Salem
IDAHO
Boise
MONTANA
Great Falls
Helena
Butte
NORTH DAKOTA
Grand Forks
Bismarck
MINNESOTA
Duluth
Minneapolis
St. Pa
SOUTH DAKOTA
Pierre
Sioux Falls
IOWA
Sioux Cit
Des
Dav
WYOMING
Cheyenne
NEBRASKA
Omaha
Lincoln
CALIFORNIA
Sacramento
San Francisco
Los Angeles
NEVADA
Carson City
UTAH
Salt Lake City
COLORADO
Denver
Pueblo
KANSAS
Topeka
Wichita
MISSOURI
Kan
Je
ARIZONA
Phoenix
Tucson
NEW MEXICO
Santa Fe
Albuquerque
OKLAHOMA
Oklahoma City
TEXAS
Dallas
Ft. Worth
Houston
Bat
Austin
San Antonio
⊙INDICATES CAPITAL OF STATE
● INDICATES OTHER IMPORTANT CITIES



410-744 O - 71 (Face p. 1)

CHAPTER I

The Groups to Which We Belong

"All are needed by each one. Nothing is fair or good alone."

—*Ralph Waldo Emerson.*

THE EARLY GROUPS IN AMERICA

Many people have come to the United States during the past 300 years. They have come from many different countries. Some of the people came long ago, while others came in later years. But the people who came long ago always came in groups.

The first groups came to *explore.** They went home and told the people about the good earth, the new fruits, and the *Indians* in the new country. Other persons decided to explore it. Later this new country was named America.

Some of the people who heard about America had not been happy for a long time. They were not allowed to *worship* God as they pleased. Their government set up a church for them. They refused to join the church, but they had to pay taxes to help support it. Some of the people had even moved to other countries. But still they were not free enough to be happy.

In some countries, the people could not write or speak their thoughts openly. The government officers stopped them. In other countries, the people had to pay taxes but could not say how the taxes should be spent. Also, the officers often put people in prison without telling them what their crimes were.

Some of the groups wanted to set up their own government. They were not happy in their homelands. They decided to cross the ocean and to build new homes in America. They hoped to be free there.

---

* Difficult words, which are printed in *italic type* in this book are explained at the end of the book simply and in the sense in which they have been used.

The early groups of people who came to America were different in many ways. For example, they wore different kinds of clothes. They spoke different languages. They had different ways of worshipping God. The Roman Catholics in Maryland had one form of worship. The *Pilgrims* in Massachusetts had another form. And the *Quakers* in Pennsylvania had still another form of worship.

But the groups were like one another in many ways. For example, all of the groups believed in God, although they used different prayers. All of the groups had come to America for a purpose. Each group gave *authority* to a few men to make rules or laws for the group. The people in each group chose other men to *enforce* the laws of the group.

The groups soon learned to live better by helping each other. Small groups came together in towns and built walls to protect their people from enemies. They learned to help each other still more by making their groups larger.

OUR FIRST GROUPS

All the people living in the United States form one Nation. But every person in the Nation is a member of many smaller groups. We may not stop to think about it often, but we live, play, and work in groups.

The first group we know is the family. We were born into that group. We obey the rules which govern it. Each member has a chance to help and to be happy. There are millions of family groups in America. We depend on them to help teach the children of the Nation to be good citizens.

As we grow older we join *neighborhood* and work groups. Some examples of work groups are farmers, ministers, policemen, soldiers, doctors, and teachers. Every person who works belongs to some work group.

Most persons want to know the best way of living and the true meaning of life. They join different church groups. In church groups, they learn to think about right and wrong. They learn the laws of God.

GOVERNMENT GROUPS

The family, neighborhood, work, and church groups cannot satisfy all our needs. We want our neighborhood to have a good name. We want our streets repaired, lighted, and kept clean. We want to be protected against crimes and fires. We want pure water and pure food. Other neighborhoods want the same things. We get together to set up a city or town group to supply these services. In this way we are able to get the services that we want.

But even our town or city is not able to satisfy every need. We want to visit our friends in other cities and countries. We want good roads; yet some of the roads are outside of our city or town. We want to protect our town from the diseases in other towns. But we must have help. If we are to satisfy many of our needs, we must join a larger or State group.

Our State group cannot supply some of the services that we need. We want to write to friends in other States and countries. We want someone to carry the mail. Some of our food comes from other States. We want to know that the food is pure. Our State group, therefore, gets together with other State groups to form a Nation group which supplies these and other services.

GROUPS ARE LIKE ONE ANOTHER

Let us study our different groups carefully. We shall find that they are like one another in many ways. First, we find that they are formed because the people want to do something together. The thing that they want to do is called the purpose. Each group has a purpose. One purpose of a city group is to make certain that the people have pure water. Other government groups have other purposes—to do something for the people. The purpose of government in a *democracy* is to do the greatest good for the greatest number of the people.

Second, we find that in every group some person or persons must have authority to carry out the purposes of the group. Some person or persons must have the power to decide many things for the groups. In some groups, all the members plan the necessary things. The members have the *final* authority.

In some countries, all the members of the government groups have the final authority. This is very true of government groups in the United States. We call our government a democracy because the final authority belongs to the people. The people have the "last word."

The members of a group often pass along, or *delegate,* part of their authority to the officers. They do this in order to get things done more quickly. For example, in our neighborhood schools we give authority to the teachers. Without authority, the teachers cannot give the pupils work to do. Without authority, the policemen cannot order traffic to "stop" and "go."

Third, we find that in every group the work is divided or *organized* according to a plan. This makes it easier to carry out the purpose of the group. In our school group, for example, the work is divided among the school board, the superintendent, and the teachers.

The plan by which each government group does its work is written. The written plan is called a *constitution.* Of course, the written plan is not the same for all of the government groups. The plan must be different if the purpose is different.

Fourth, we find that groups must work together. This is very true of our government groups. Our city must work well with other cities and with the State. The State must work well with its cities. It must work well with other States and with the Nation.

Fifth, we find that the groups must agree on the fair and best way of doing things. They must act according to settled rules. We call these rules principles. These principles form the foundation of our Government. A building should have a strong foundation. We like to build on rocks. We like to know that the foundation of a building is strong and will last a long time. We want strong foundations for governments, too.

A principle is a rule which we accept. The principles of government, therefore, are accepted rules. We organize our government groups according to these principles. We expect all the members of the group to understand these rules.

The principles must be known. Some of the principles of our Federal Government were written into the Constitution of the United States. The Constitution sets out the purpose and authority of our Federal Government. It says how the Nation is to work with the States. It tells how the States are to work with one another.

SUMMARY

We have been thinking together about groups. We have thought about ourselves as members of a family group or circle. This family circle is only one of many circles or groups. These groups grow larger in size as they *cooperate* with each other. They cooperate to do many things for the people. The large groups get together with still larger groups or circles to form one great Nation.

In each group some person or persons have the chief authority. Each group has its own officers. Each group has a special purpose. Each group divides its work among its members. The groups cooperate well when they understand the principles by which they do their work.

Many of the principles are so simple that we do not often think about them. But the best things in our lives

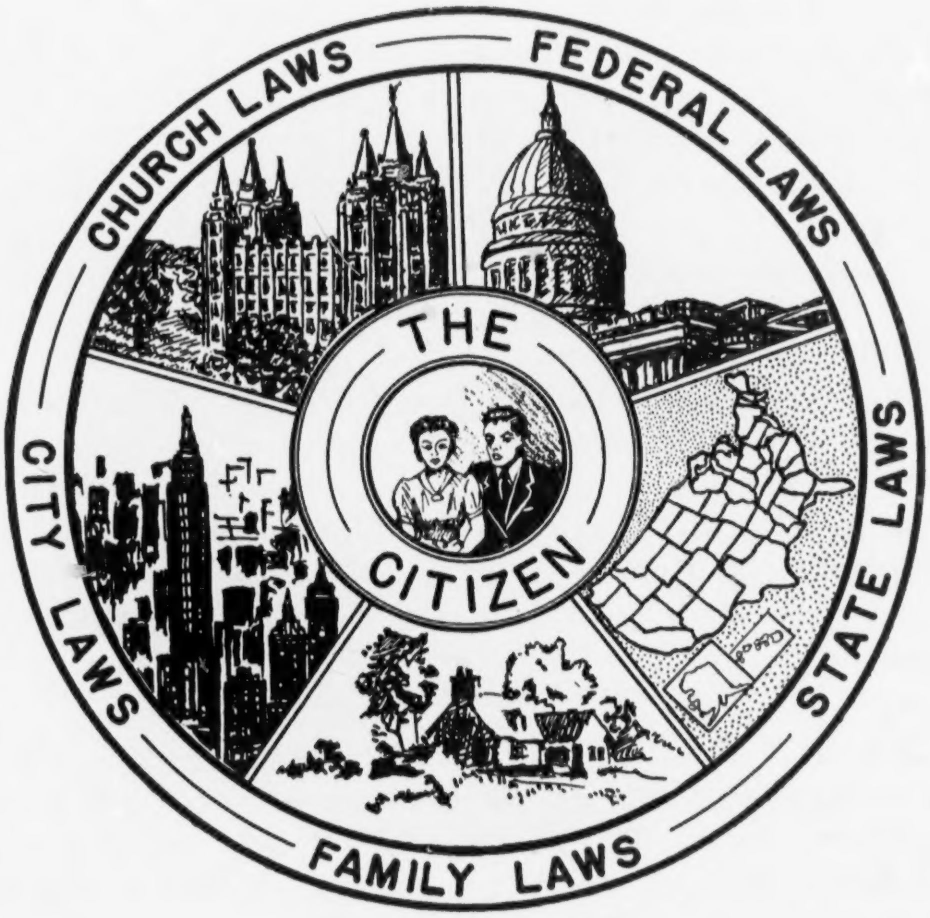


Figure 1

Laws Under Which the Citizen Lives

The Citizen Lives in a Circle of Many Laws Which Govern Different Groups in the United States are built upon these principles and our understanding of them. They are very important to our freedom and to our happiness. We shall study more about them in the next chapters.

THINGS TO DO

Questions to discuss in your study group:

1. What does it mean to say that "all are needed by each one"?

2. Why did the early groups come to America to make their homes? Show some of the ways in which the early groups were like one another. List some of the ways in which they were different.

3. Look at the map facing the first page of your book. Find the State in which you live. In what part of the United States is it? What States are near your State with which it must work? In what part of your State do you live? With what towns or cities must your government group work?

4. Name all of the groups to which you belong. Why did you join them? Are there other groups which you would like to join? Why do you want to join them? Name some of the groups which you do not care to join. Why not?

5. Study the groups to which you belong and tell the different ways in which they are like one another. In what ways are they different?

6. Name three government groups of which a citizen is a member.

7. What is meant by a "democracy"? In what way is "final authority" different from "delegated authority" in a democracy?

8. What do you understand is meant by a "principle"? What great paper contains some of these principles?

9. Show how "representative government" makes it necessary for different groups to work well together.

What makes it possible for government groups to work well together?

10. Study the government services which you enjoy every day. Are all of them supplied by one government alone? Which are brought to you by two governments working together? What might happen if the two governments did not get along well together?

CHAPTER II

Our Citizens and How To Become a Citizen

> "There can be no divided *allegiance* here. Any man who says that he is an American, but something else also, is not an American at all."
>
> —*Theodore Roosevelt.*

Every person in the United States enjoys our group life. If he obeys the laws, he is free to move from place to place. He can set up a home and join a neighborhood group. He can send his children to a public or to a private school group. He can join a church group or he can refuse to join one. He is free to enjoy the public parks, public libraries, and the other services which our Government supplies.

GETTING READY TO JOIN OUR GROUP

A person need not join one of our groups unless he is willing. One man wants to be a doctor. Another wants to work in a factory. Some people want to join a Protestant church group. Others wish to belong to the Roman Catholic church. Still other persons may follow other faiths. But if we join a group, we do it because we want to.

But it is not enough to be willing. We must be *qualified* in order to be of some use to our group. We must prepare ourselves. We want only those in our group who can be of some use to the group. For example, we want only those persons in our work group who know how to do the work. We want only those policemen and firemen who are qualified.

It is necessary that a person be a citizen of the United States in order to join some groups. A citizen is a person who has full rights. He can look to the Government to protect him in the use of his rights. He respects and supports his Government. If a person wants to help govern our State and Nation, then he must be a citizen. Only citizens have full rights.

THE CITIZENS GOVERN IN THE UNITED STATES

The Government in the United States belongs to the people. The citizens have the final authority. A public officer cannot use authority unless the citizens have agreed, in their plan of government, that he should use it.

The citizens may not always use their power to govern. The citizens as such, for example, do not carry out the laws. They choose representatives to carry on the work of the Government for them.

We have a democracy in the United States. But we are governed by representatives who make and enforce most of the laws. For that reason we say that we have a representative democracy. The head of a representative democracy may be elected, as in a *republic,* or his power to govern may be hereditary, as in a monarchy. We have a republic in the United States.

WHO ARE OUR CITIZENS?

Since only citizens have full rights and have the final authority in the United States, it is important to know who are citizens. We also want to know how a person who is not a citizen may become a citizen. All of these matters are controlled by the Constitution and laws of the United States.

The Constitution of the United States says that "All persons born or *naturalized* in the United States, and subject to the *jurisdiction* thereof, are citizens of the United States and of the State wherein they *reside.*" If a person is born in the United States and subject to its jurisdiction, then he is a citizen. The Constitution says so. Most persons are citizens because they were born here.

Other persons, who were born outside of the United States, are citizens because they have been naturalized. Millions of people who were born in foreign countries have come to the United States to make their homes. Many of them have done what the law asked them to do in order to become citizens, and have received their *citizenship* or *naturalization papers.* They have become naturalized citizens.

WHO MAY BE NATURALIZED

The laws which control naturalization are made by the Congress. The Constitution of the United States gives the Congress that authority. The Congress passed the Immigration and Nationality Act in 1952. It says that a person can be naturalized only according to the conditions set out in that law.

The law does not let every *alien* become a citizen. It says, in general, that before he can *petition* for citizenship he must have reached the age of 18 years; must have lived in the United States for at least five years; and must have been physically present in this country for periods totaling at least half that time. He must have been lawfully admitted to the United States for permanent residence. He must live in the State in which he files his petition for at least six months before he petitions for citizenship. Before he can become naturalized, he must be able to speak, read, and write English (with certain exceptions), if he is physically able to do so. He must understand the history and the Constitution and Government of the United States. He must prove that he has been and is a person of good *moral* character. He cannot be naturalized if he is or has been opposed to organized government, or if he is or has been a Communist, within 10 years of the date of filing his petition. If an alien has qualified on all matters laid down by the law, then he may be granted citizenship.

Before he can become a citizen, however, the law says that he must take the following *oath:*

> I hereby *declare,* on oath, that I *absolutely* and *entirely renounce* and *abjure* all allegiance and *fidelity* to any foreign prince, *potentate,* state, or *sovereignty,* of whom or which I have *heretofore* been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; * that I will perform noncombatant service in the armed forces of the United States when required by the law; * that I will perform work of national importance under civilian direction when required by the law; and that I take this *obligation* freely without any *mental reservation* or purpose of *evasion;* so help me God.

The oath, in easier words, is as follows:

> I give my word that I give up completely the government of which I have up to this time been a citizen or a subject. I will give my support to the Constitution and to the laws of the United States. I will obey them. I will help to keep this country safe from dangers within or from without. I will help the United States in time of war. No person made me take this oath. When I say this I am keeping nothing back. God knows that all I have said is true.

---

* **The Immigration and Nationality Act permits, under certain circumstances, the taking of the oath without these clauses.**

After the oath has been taken, the judge signs the order granting naturalization, and the new citizen is given a certificate of naturalization. This is the official paper that shows that the petitioner is now a citizen of his new nation, the country of his choice.

Persons interested in becoming naturalized citizens of the United States should apply to the nearest office of the Immigration and Naturalization Service.

THINGS TO DO

Questions to discuss in your study groups:

1. Name two groups of which you are a member. Can any person join these groups? If not, then tell the reasons why it cannot be done.
2. Do you think that any person who wishes should be able to join a group of doctors? Why or why not?
3. Name two *qualifications* which the members of the following groups must have:
    - *a.* Policemen.
    - *b.* Postmen.
    - *c.* Store clerks.
4. Explain what is meant by the statement that "the United States is a Republic."
5. Who has the authority to lay down the rules that must be followed by a person who wants to become a citizen?
6. Why should a person want to become a citizen of the United States?

Complete each of the following:

1. Four things which a person must prove in order to be naturalized are:

a. ------------------------------------
b. ------------------------------------
c. ------------------------------------
d. ------------------------------------

410-744 O - 71 - 2

2. The steps which a person usually must take in order to become a naturalized citizen of the United States are:

a. --
b. --
c. --

3. Study the oath of allegiance which a person must take when he is naturalized. Three things which he promises by his oath are:

a. --
b. --
c. --

Chapter III

How Our Nation Was Started

> "America was a great land when Columbus discovered it; Americans have made it a great nation."
> —*Lyman Abbott.*

When we live in groups we must have authority, purpose, and *organization*. We must work with other groups. We must follow rules which the members of the group have approved as wise.

The authority and purposes of our Federal Government are written into the Constitution of the United States. Also, the principles of our Government are found in the Constitution. Our Government follows those principles in its work. We cannot understand our Government unless we know the history and meaning of those principles. Why did the Makers of the Constitution accept some rules and refuse to accept other rules? We shall study the early history of our Government and learn the reasons.

WHY THE *COLONISTS* CAME TO AMERICA

Many *colonies* were started in America, but some of them did not last. Most of the colonists had come from England. It was their mother country. The King of England was their ruler.

Each colony was settled by colonists who came for a purpose. The purpose was not the same in all of the colonies. The colonists in Virginia came to trade. They cut *lumber* and grew *tobacco* for sale. The Pilgrims and *Puritans,* who settled in what is now Massachusetts, came to be free in their way of worship. The Quakers came to Pennsylvania and the Roman Catholics came to Maryland for the same purpose.

The Dutch came to trade. They settled in New York. The Swedes and Finns came to Delaware and New Jersey in order to enjoy more freedom. The French colonists settled in Canada and the Spanish colonists settled in Florida. They wanted to trade with the Indians and to teach them the ways of the white man.

RELATIONS WITH *GREAT BRITAIN*

One by one the colonies of other nations came under the control of Great Britain. In 1776 there were thirteen British colonies in that part of America that became the United States. These thirteen colonies later became the first thirteen states.

The British people had a King, but they elected representatives who helped make the laws. The lawmaking body was called the *Parliament*. The people could always tell the lawmakers if they did not like the laws. Sometimes the people were able to have the laws changed.

The King and the Parliament governed the colonies in America. The King let the colonies elect representatives who made some of the *local* laws. But he sent governors to most of the colonies to carry out the laws of Great Britain. They collected the King's taxes on goods that the colonists brought in from other countries. The colonists were free in many ways. For more than a hundred years they did not say very much against the King and the Parliament.

GREAT BRITAIN FIGHTS A WAR

In 1754 there was a change. A war began between the British colonists and the French. But it was not until 1756 that Great Britain and France actually declared war. In America, the French and the British colonists, each with their Indian allies, helped their mother countries. The war was called the French and Indian War.

The British soldiers and the colonists put up a good fight. Great Britain won the war. A peace treaty was signed in 1763 and Great Britain received Canada. The French colonists in Canada then became subjects of Great Britain.

RIGHTS OF COLONISTS ARE TAKEN AWAY

The cost of a war is always high. The British had had to fight France both in Europe and in America. Times were hard. Great Britain needed more money.

The King thought that the colonists were using goods on which taxes had not been paid. He ordered his officers to search for such goods without giving any reasons.

The colonists were not pleased. They were Englishmen. They said that they could not be searched unless the officer gave them a written statement telling why the search was made. But the officers took orders from the King and refused to listen to the colonists.

For many years the King and the Parliament had taxed goods that were brought into the colonies from other countries. Great Britain wanted the colonies to trade with her. She had told the colonists what goods they could make and with whom they could trade. But Great Britain had not placed heavy taxes on the colonists. She had not asked that the colonists give much money to support the mother country.

Following the war with France, Great Britain kept an army of soldiers in the colonies. The King, George III, decided that the colonists should pay the cost of the army. So the Parliament passed a new tax law. It forced the colonists to buy tax stamps and to put them on newspapers, deeds, and all business papers. The colonists could neither buy nor sell anything without paying the new taxes.

THE COLONISTS ARE NOT PLEASED

The colonists were not against taxes. They had never refused to pay the tax on goods from other countries. But they did not like to be taxed against their wishes. They did not have representatives in the Parliament.

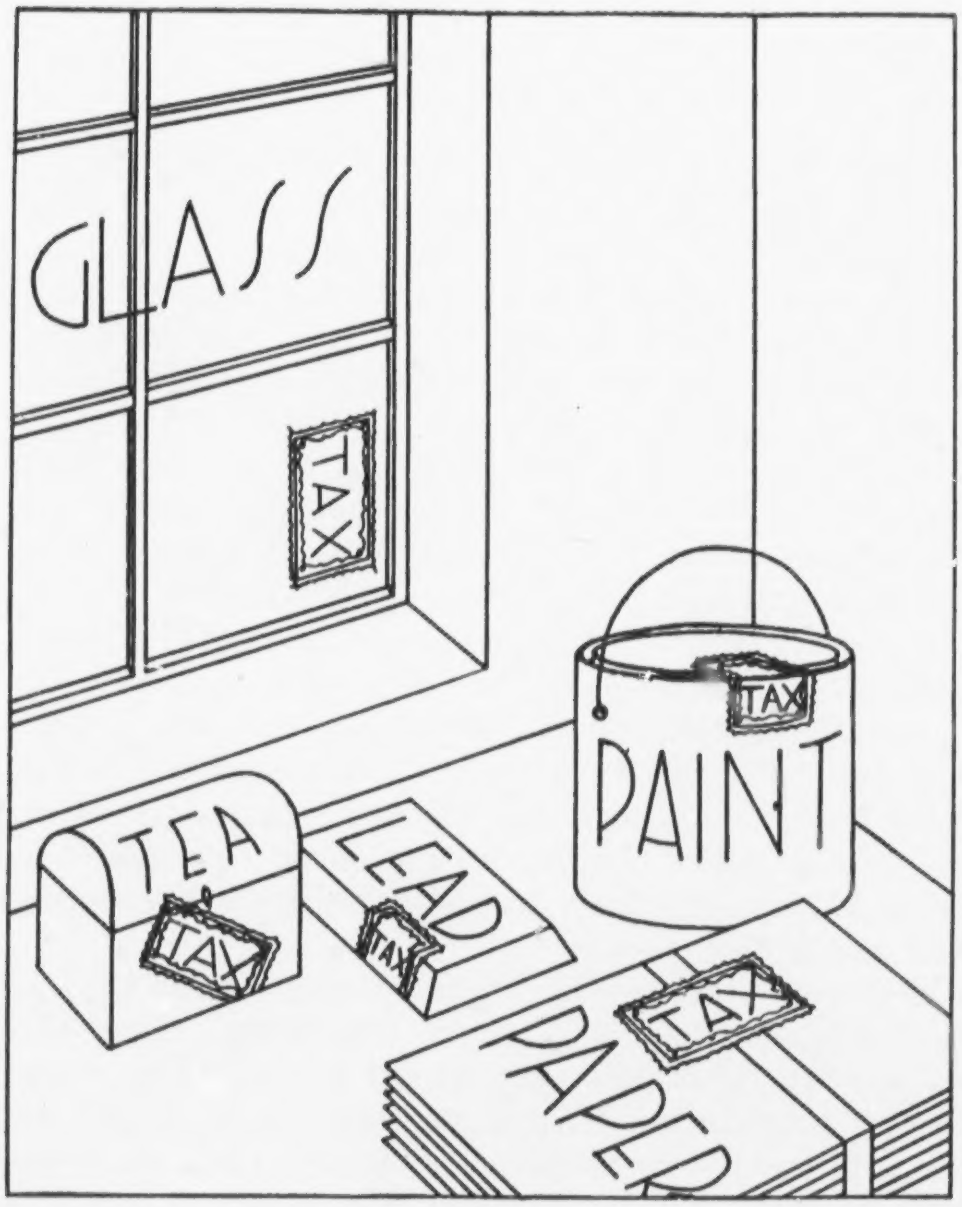


Figure 2

Kinds of Taxes the Colonists Had to Pay

They said that it was wrong to force the colonists to pay the taxes. It was against their rights as Englishmen. For a hundred years, all Englishmen had said that they could be taxed only by their own representatives. Never before had the King said that this was not true.

At first King George III and the Parliament refused to change the tax laws. Many of the colonists would not buy the tax stamps. Some of the people took the stamps and burned them. At last, the friends of the colonists in the Parliament had the tax laws changed.

The Parliament then put a tax on all paint, paper, glass, lead, and tea that were brought into the colonies. Again, the colonists did not like the new taxes. They refused to buy any goods from Great Britain until the tax laws were changed.

The King and the Parliament agreed to do away with all of the taxes except the one on tea. The King said: "There must always be one tax to show that we have the right to tax, and as such I approve of the tea tax." He decided that the colonists must pay it. He ordered his soldiers in America to collect it.

THE *CONTINENTAL CONGRESS*

The colonists decided to hold a meeting. They elected representatives who met in Philadelphia in the autumn of 1774. They held a meeting. They called it the Continental Congress. All of the British colonies, except Georgia, in what later became the United States, sent representatives to the meeting. The representatives sent a petition to King George III asking him to respect the rights of the colonists. But the King and the Parliament refused. A second Continental Congress was then held in Philadelphia. It met on May 10, 1775, and remained, in name at least, in *session* until it was followed by the Congress of the Confederation in March 1781.

GENERAL WASHINGTON

The Continental Congress decided to fight Great Britain. On June 15, 1775, George Washington was selected to lead the soldiers. He had helped to win the war against the French and Indians. He knew how to organize an army.

George Washington did not want to be a general. He loved peace and hated to fight. But he thought that the colonists were right. He was willing to help and he was qualified. George Washington accepted the authority which the Continental Congress delegated to him. He left the meeting to train his soldiers and to carry on the war.

DECLARATION OF INDEPENDENCE

At first, the colonists thought that King George III would give them back their rights. But the King would not change his mind. So the members of the Continental Congress talked with the colonists. They decided to separate from Great Britain and to set up their own government. They agreed to write a Declaration of Independence. A committee was appointed to write it.

Thomas Jefferson was the leader in the committee. The committee did the work well and reported to the Continental Congress. On July 4, 1776, the Declaration of Independence was voted upon by the Continental Congress. The members accepted it. It was signed by 56 of the members.

The Declaration of Independence did four things. First: It stated some of the principles of our government. It said that God had given all persons the right to live, to be free, to work, and to be happy. Second: It said that the purpose of government is to protect the rights of the people. It said that a government should not make laws without the *consent* of the people. When it does, the people have the right to quit that government and start a new one. Third: It listed the rights of the colonists which the King and the Parliament had gone against. It listed the things that had been done which the colonists did not like. Fourth: It declared that the colonies were separating from Great Britain. The Declaration of Independence said that the colonies were free from the control of Great Britain. They would set up their own government.

The thirteen colonies were New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia. When the Union was later formed, they became the first thirteen States.

THE *REVOLUTIONARY WAR*

The King was not pleased by the Declaration of Independence. He decided that Great Britain would fight to keep the colonies. The British made war on the colonies.

It was a long and hard war. The King's soldiers had good clothes and food. They knew how to fight. General Washington had trouble with his army. The soldiers had very poor clothes. They did not always have enough food. Their guns were old. Some of the soldiers wanted to go home to their families.

General Washington refused to end the war. He knew that the colonists had to win if they wanted to be free in the years to follow. He tried in every way to get food and clothes for his soldiers.

Great Britain had trouble at home soon after she decided to fight the colonies. Spain had declared war on Great Britain. Also, Great Britain had to fight another war with France. The French sent help to the colonies.

It was hard for Great Britain to carry on wars both in Europe and in America. The British soldiers in America were tired of fighting. Great Britain decided to end the war. The British surrendered at Yorktown, Virginia. The *treaty* of peace, which ended the war, was signed in 1783. The thirteen colonies had proved that they were free States.

INDEPENDENCE DAY

July Fourth is the birthday of the United States. We call it Independence Day. Every year we celebrate on that day. It helps us to remember how the colonists won the right to set up our government in America.

The colonists were determined to win the war against Great Britain. They offered to give their lives, their money, and their honor for one another. They did so gladly. We should honor them on the Nation's birthday. They proved that government in this country rests on the will of the people.

THINGS TO DO

Put the correct word in each open space:

1. There were ------ colonies in America under the control of Great Britain in 1776.

2. The ---------- settled what is now know as Pennsylvania. The ------------ settled what is now know as Massachusetts. The colonists in Virginia came for the purpose of ------------. They sent ------------ back to Great Britain for sale.

3. The lawmaking body in Great Britain is called the --------------. The colonists had no ---------- in that body. The King of Great Britain sent ---------- ---------- to the colonies to carry out the laws of Great Britain.

4. The group of representatives who came together to protect the rights of the colonists was called the ----------- Congress. It first met at ------------- in the year ------. It elected --------- to lead the army against the British.

5. The thirteen colonies fought a long war and won their ---------------- from Great Britain. The written statement of their rights and of the wrongs against them

was called the -------- of --------. It was signed by -------- men.

6. The Declaration of Independence states some of the ----------------- of our Government. It says that the --------- of government is to protect the rights of the people. We celebrate our Nation's birthday on the Fourth of --------- every year.

7. The treaty of peace that ended the war was signed in -----------. The British soldiers gave up the fight at -----------, Virginia.

8. The thirteen colonies that won their independence from Great Britain were:

1. --
2. --
3. --
4. --
5. --
6. --
7. --
8. --
9. --
10. --
11. --
12. --
13. --

Chapter IV

The Making of Our Constitution

> "There is one thing better than good government, and that is government in which all the people have a part."
>
> —*Walter Hines Page.*

By the Declaration of Independence the colonies had separated from Great Britain. They were free States. There was no mother country to decide things for them. The Continental Congress knew that all of the States would have to fight in order to win the war against Great Britain. It believed that the States should unite. It said that they should act as one when it came time to make peace. But should the Union come to an end when the war was over? That was the most important question.

Soon after the Declaration of Independence was signed the Continental Congress drew up a plan for a central government. The plan was called "The *Articles of Confederation and Perpetual Union."* It was sent to the States. They were asked to accept it.

Many of the States did not favor the plan. Some said that the Central Government would not be strong enough. Other States feared that they would lose the right to govern their own people. Changes were made in the plan. It was accepted by all of the thirteen States by March 1, 1781.

WHAT THE PLAN SAID

Under the Articles of Confederation, the States entered into "a firm *league* of *friendship"* with one other. The people in each State thought of the other States as friends. They would help one another. But the people did not think that they were members of a true Union.

The Articles of Confederation set up a Congress of one House only. Each State was represented in that House. Each State had only one vote.

The Congress had authority to make war and peace. It could make money. A committee of the Congress governed the Nation when the Congress was not meeting.

WAYS IN WHICH THE PLAN WAS WEAK

After the war was won, the one big purpose in working together was gone. The war had held the States together—to win independence. Many of the people thought that the Union had ended. They did not know one another well. The States quarreled with one another. The other nations thought that the new government would not last long.

The Central Government did not have enough authority to carry on its work. The Congress could do nothing unless the States agreed. For example, the Congress asked the States for money, but could not force them to pay. The Congress could not tax the citizens. The Congress asked the States to send soldiers to protect the Nation. But some of the States refused. The Congress made treaties with other countries. But the States did not obey the treaties.

The Articles of Confederation were weak in other ways. There was no President. The Central Government was "a body without a head." There were no Federal courts. The Congress could not force any person to obey the laws. It could not force the people to support the Central Government.

The Congress had no power to control trade among the States or between the States and foreign countries. The States quarreled over the right to tax goods from other States. For example, New York taxed wood from Connecticut. It taxed butter, cheese, and vegetables from New Jersey. Connecticut and New Jersey taxed goods from New York. Also, the States quarreled over which owned certain lands. Virginia and Maryland could not agree which owned Chesapeake Bay.

CONSTITUTIONAL *CONVENTION* OF 1787

Something had to be done to improve trade among the States. Virginia asked that *delegates* from the thirteen States meet in a convention. The delegates should plan changes in the Articles. But only five States sent delegates to the Convention. The Articles of Confederation could not be changed unless the thirteen States agreed.

The delegates decided to hold another meeting in Philadelphia the next year. They asked the States to send delegates to this Convention to study the Articles of Confederation and to make changes. The Central Government needed more authority over the States and the people. It wanted officers to enforce the laws.

The Convention met on May 25, 1787, in Philadelphia, in Independence Hall. The Declaration of Independence had been signed there in 1776. Twelve of the States appointed a total of 70 delegates but only 55 attended. Rhode Island did not send any delegates.

The men who attended had had experience in public and private matters. Some were governors, *lawyers,* and judges. Some had signed the Declaration of Independence. Some were businessmen and landowners. New York sent Alexander Hamilton who was a leading lawyer in that State. Virginia sent James Madison and George Washington. Pennsylvania sent Benjamin Franklin. The delegates elected George Washington president of the Convention.

THINGS THAT WERE CLEAR TO THE DELEGATES

The members of the Convention knew that it would not be easy to change the Articles of Confederation. No State wanted the others to tell it what it should do. But the delegates knew that all States had the same ideas about liberty and the right to set up their own government. They knew that New York had taxed the market boats of New Jersey and Connecticut. They knew that Connecticut and New Jersey had refused to send wood, eggs, butter, and vegetables to New York City. They also knew that New York City needed these things if the people were to live well.

The members knew that, if one State refused to trade with other States, other quarrels would occur. They had to organize a Central Government with power to settle quarrels among the States. They knew that people in Massachusetts were making war against their own State government. They feared that this kind of war might spread to the other States.

About that time Spain had closed the Mississippi River. She had taken the boats and goods of American traders. North and South Carolina and Virginia could not force Spain to open the river. They needed the help of all the States.

No single State was safe if a foreign country should attack it. No State alone could protect the trade of its citizens on the high seas. No single State could defend her people with success against Indian attacks.

The delegates agreed that the old plan of government had not worked well. George Washington asked the other delegates what the Convention should do. All agreed that they should plan the best possible kind of government. They agreed to write a new constitution to take the place of the Articles of Confederation.

THE *COMPROMISES*

It was not easy to write a new constitution. The delegates would approve a plan. But then they could not agree on how the plan should be worded or carried out. For example, the delegates decided that the Congress should be made up of two Houses. The delegates from the large States said that their states should have more representatives in the two Houses. The delegates from the small States said that since all the States were equal they should have the same number of representatives.

A middle way or compromise was accepted. It was agreed that each State should have two representatives in one House. But the number of representatives in the other House should depend upon *population*. The two Houses had to agree in order to pass a law.

Only a few questions were raised on which the delegates did not divide into groups. The North was against the South. The slave States did not trust the free States. The States with factories did not want the farming States to buy goods made in foreign countries.

At times it seemed that the Convention would break up and not finish its work. But the Convention had to plan a stronger Central Government. The Convention wanted to prove to other nations that the new Union would last. The delegates worked hard to make compromises. The compromises made possible the Constitution.

THE CONSTITUTION IS SIGNED

The delegates worked hard during the whole summer. On September 17, 1787,* the Constitution was ready for the delegates to sign. The final form had been written by Gouverneur Morris. Every delegate listened with care as it was read.

As 39 of the 55 delegates signed the Constitution, Benjamin Franklin rose. He looked at a figure of a half sun which was painted on Washington's chair. Then he said, in effect: "I have often in the course of the session looked at that sun without being able to tell whether it was rising or setting; but now at length, I am happy to know that it is a rising and not a setting sun."

---

* On February 29, 1952, the President signed a Joint Resolution passed by both Houses of the Congress, designating September 17 of each year as "Citizenship Day" in commemoration of the formation and signing, on September 17, 1787 of the Constitution of the United States, and in recognition of all who, by coming of age or by naturalization, have attained the full status of citizenship.

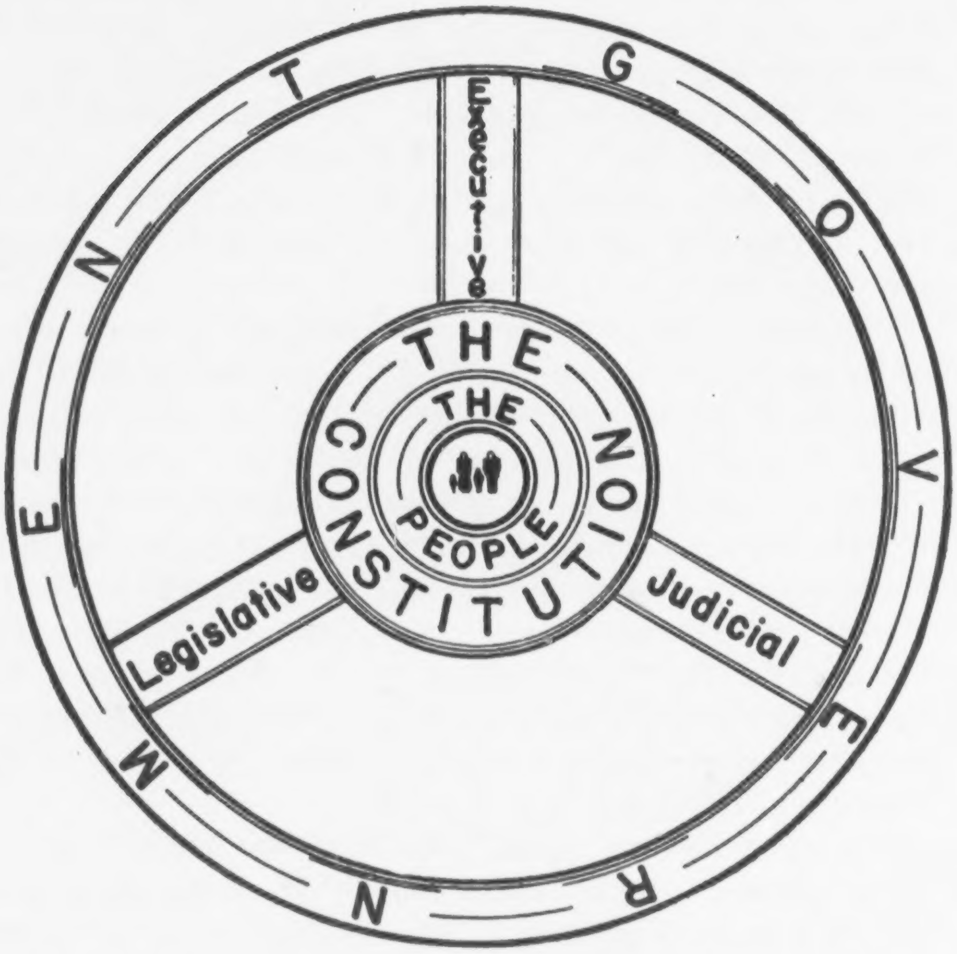


Figure 3

Our Wheel of Government

WHERE THE DELEGATES GOT THEIR IDEAS

Many of the ideas in the Constitution were not new. The delegates had examples from the past to study and to follow. They had studied the plans of government in England, in the colonies, and in the States. Englishmen had brought to America the English idea of the right to set up their own government. The State constitutions included that right. They declared that the citizens should have the right to control those who make the laws. The Fathers of the new Constitution liked the thought and copied it.

The State constitutions contained many ideas on how a government should be organized. For example, all of the State constitutions divided the authority to govern among three branches—the *legislative, executive,* and *judicial.* All of the authority to govern was not placed in the hands of one branch. The legislative branch made the laws. The executive branch carried out the laws. The judicial branch settled quarrels over the meaning of laws. The Fathers of the Constitution copied this plan. They planned for a Congress to make the laws, for a President to enforce them, and for courts to settle quarrels as to the meaning of the laws.

The delegates got some help from the Declaration of Independence. It had listed some of the purposes of government in a democracy. These purposes were copied into the opening sentences of the new Constitution.

They also learned much from the Articles of Confederation. They had studied the Articles with care but they knew that the plan had not always worked well. Experience under the Articles caused the delegates to give the Central Government the authority to tax and to regulate trade among the States. Experience also caused them to give the Central Government authority to enforce the Constitution, the laws of the Congress, and the treaties.

THINGS TO DO

Choose the word or group of words that will make each of the following a correct statement:

1. The Articles of Confederation were—
   - (*a*) a plan for a strong Central Government.
   - (*b*) a plan for State governments.
   - (*c*) an early plan of government for the 13 free States.
2. One of the questions that the delegates to the Constitutional Convention had to answer was—
   - (*a*) how to take authority away from the Central Government.
   - (*b*) how the large and the small States should be represented in the Congress.
   - (*c*) how to spend the money of the States.
3. The Constitution of the United States was signed by—
   - (*a*) all members of the Constitutional Convention.
   - (*b*) the delegates from the large States only.
   - (*c*) 39 members of the Convention.
4. Experience under the Articles of Confederation proved that the thirteen States needed—
   - (*a*) a Central Government with more authority over the people.
   - (*b*) a Central Government with less authority.
   - (*c*) no Central Government.
5. The purpose of the Constitutional Convention was to—
   - (*a*) talk over the war they had won against the British.
   - (*b*) agree to a treaty of peace with Great Britain.
   - (*c*) change the plan of government for the Union.
6. The Constitutional Convention met in the city of—
   - (*a*) Boston.
   - (*b*) Philadelphia.
   - (*c*) New York.

Questions to discuss in your study group:

1. Why was it hard for the Fathers of the Constitution to decide on a plan of government that the thirteen States would accept?
2. Name one of the compromises agreed upon by the Constitutional Convention that were written into the Constitution of the United States. Can you find examples in your life that show how compromises are made in order to serve some purpose of a group?
3. Who were some of the important men at the Constitutional Convention? Tell what some of them had done before they came to the Convention.
4. What were some of the reasons that caused the thirteen States to want to join together in a better Union?
5. Where did the Fathers of the Constitution get ideas to use in writing the Constitution for the new Nation? What important idea did they copy from the State constitutions?

CHAPTER V

Putting the New Government to Work

"Let our object [purpose] be our country, our whole country, and nothing but our country."

—*Daniel Webster.*

The Constitutional Convention took only the first step in making a new Constitution. The delegates could not force the thirteen States to accept their work. They had been given authority to change the Articles of Confederation. But they had written a new Constitution. Would the people accept what they had done?

The Constitutional Convention decided to get the opinion of the people. It asked each State to call a convention and to elect delegates to vote "yes" or "no" on the new Constitution. The delegates were to be chosen by the people because the government under the new Constitution was to be a government of the people. A new government should be organized when nine States had accepted the Constitution.

THE CONSTITUTION GOES TO THE PEOPLE

Each State government asked its people to send delegates to a State convention. A convention was held in each State. The delegates were to study the Constitution. They were to vote for or against it.

Copies of the Constitution were printed in the newspapers. It was talked about at home and on the streets. The people seemed to like it. The businessmen wanted to trade in other States. They asked the delegates in their State conventions to accept the Constitution.

But many people were not sure the Constitution was better than the Articles of Confederation. They said that the President should be elected by a direct vote of the people. They did not want the President to appoint the judges of the Federal courts. Others said that the Constitution did not protect the rights of free speech and free press. They also said it did not guard their right to worship God as they pleased.

The Fathers of the Constitution did not think that it was perfect. But those who signed it believed that it was better than the Articles of Confederation. They wanted the delegates in the State conventions to vote on it before any changes were made. So the Fathers of the Constitution went home to urge the State conventions to approve the Constitution.

THE NEW CONSTITUTION IS ACCEPTED

The convention in Delaware voted first. It accepted the new Constitution without a single vote of "no." Pennsylvania, New Jersey, and Georgia were next. Then came Connecticut.

The convention in Massachusetts wanted some changes made in order to protect the rights of the people. The other States agreed that the changes should be made later. Massachusetts then voted to come into the new Union. Maryland and South Carolina voted to accept the new Constitution. Early in the summer of 1788, the convention in New Hampshire approved it. That made nine States which had accepted the Constitution.

Three of the largest States had not voted "yes." They were Virginia, New York, and North Carolina. Also, Rhode Island had voted not to accept. If these States voted "no," the Union would not be solid. North Carolina and Virginia separated Georgia and South Carolina from Delaware and Maryland, each of which had accepted the Constitution. Virginia wanted a bill of Rights added to the Constitution. The other States agreed that this would be added later. Virginia then entered the Union.

RATIFICATION OF THE FEDERAL CONSTITUTION

Article Seven: "The ratification of the conventions of nine States shall be sufficient (enough) for the establishment of this Constitution between the States so ratifying the same."

State	*Date of Ratification*
1. Delaware	December 7, 1787
2. Pennsylvania	December 12, 1787
3. New Jersey	December 18, 1787
4. Georgia	January 2, 1788
5. Connecticut	January 9, 1788
6. Massachusetts	February 6, 1788
7. Maryland	April 28, 1788
8. South Carolina	May 23, 1788
9. New Hampshire	June 21, 1788
10. Virginia	June 26, 1788
11. New York	July 26, 1788
12. North Carolina	November 21, 1789
13. Rhode Island	May 29, 1790

Within seven months from the date of ratification by the first State, nine States had voted to approve the Constitution. However, the new government could not have gotten along very well without the two large States, Virginia and New York. After New York had approved the Constitution, the city of New York was chosen as the first seat of the Federal Government. It was there that George Washington took the oath as President on April 30, 1789.

Figure 4
Ratification of the Federal Constitution

The States were anxious to have New York in the Union. If New York stayed out, Connecticut, Massachusetts, and New Hampshire would be separated from the other States. Alexander Hamilton, who had signed the Constitution, made a special visit to the convention in New York. He explained the new Constitution to the delegates. He urged them to vote "yes." When the votes were counted, New York had accepted the new Constitution. The States would not be separated. The Union would be strong.

North Carolina and Rhode Island were too weak to stand alone. They agreed to the new Constitution. All of the States had accepted the Constitution. The new Union would be complete.

SETTING UP THE NEW GOVERNMENT

The next thing was to establish the new Government. The Constitution told how it should be done. The members of the new Congress had to be chosen. The Constitution said that the Congress should be made up of a House of Representatives and a Senate. The people of each State elected Representatives. Each State legislature elected two Senators.

The Constitution said that there should be a President. It said that the people should vote for *electors*. Those electors, who were good citizens, would then choose a President. The electors in each State met and voted. George Washington was elected President. John Adams was elected Vice President.

The new Congress met in New York City in March 1789. On April 30, 1789, Washington and Adams came to New York and took the oath of office. The people shouted: "Long live George Washington, first President of the United States."

The Congress then passed a law providing for executive departments to assist the President. The heads of these departments were a Secretary of State, a Secretary of

Treasury, a Secretary of War, and an Attorney General. President Washington appointed men to these offices who had helped to write the Constitution. He appointed Alexander Hamilton to be Secretary of the Treasury. He made Thomas Jefferson Secretary of State. He selected other good men for the other offices. These men became known as the President's *Cabinet*.

The Congress passed a law organizing the Federal courts. President Washington appointed the judges. The Senate approved them.

The Congress placed a tax on goods coming into the United States from other countries. The tax money helped the new Government to meet its expenses. The Congress no longer had to ask the States for money to carry on the work of the Nation.

IDEAS OF GROUP LIFE WHICH WE FIND IN THE CONSTITUTION

The Fathers of the Constitution wrote the ideas of all group life into the Constitution. Let us examine the Constitution and see whether we can find them.

(1) The Constitution says that the final authority belongs to the people. But the people have delegated some of their authority to the Federal Government. For example, the Congress is given authority to make certain laws. The President is given authority to carry out the law. The Federal courts are given certain authority to decide the meaning of laws.

(2) The Constitution tells the purposes of the Federal Government. The purposes are listed in the opening sentence of the Constitution. The people wanted to form "a more perfect Union" and to make sure the power of Government was in the hands of the people.

(3) The Constitution says how the Federal Government is to be organized. It tells how the members of the Congress are to be elected. It gives the way in which the President and the judges of the Federal courts are to be chosen.

(4) The Constitution divides the authority to govern between the Federal Government and the State governments. Both the Federal Government and the State governments are to continue. Neither can put an end to the other. The Constitution, therefore, tells how the two are to work together. It explains how the three branches of the Federal Government are to get along together. It says what they must do when they cannot agree. It tells how quarrels among the States are to be settled.

PRINCIPLES IN THE NEW CONSTITUTION

The Constitution was built upon certain principles. Certain things were understood. The Fathers of the Constitution did not quarrel about them.

(1) It was understood that all of the States would be equal. What one State may do, every State may do. The Federal Government cannot give special favors to one State.

(2) It was agreed that there should be three branches of the Government. There would be one branch to make the laws, another to enforce the laws, and a third to settle questions of law that might arise.

(3) It was understood that all persons are equal before the law. Every person, whether rich or poor, can require that the law protect him in the exercise of his rights under the law.

(4) The new Government was to be a government of laws and not of men. No person was to be above the law. This means that no officer of the Government can use any authority unless the Constitution or law permits him to do so.

(5) It was understood that the people could change the authority of the Government by changing the Constitution. The Fathers of the Constitution set up the way in which it may be done. For example, the people changed the Constitution to say that Senators are to be elected by a direct vote of the people.

(6) It was agreed that the Constitution, the laws, and the treaties of the United States are law. They are the highest law of the land. A State constitution or a State law that does not agree with them cannot be enforced in the Federal courts.

It was also understood that the new Federal Government would be a government of all the people and not of the States alone. The government under the Articles of Confederation was a government of the States. The Government under the Constitution is a government of the people as well as of the States.

THINGS TO DO

Put the correct word in each open space:

1. The Fathers of the Constitution sent it to the States for a vote and in each State the vote was taken in a --------- of delegates. The Constitution went into effect when it was accepted by --------- States. The convention in the State of ----------- was the first to accept the Constitution.

2. The Constitution says that the Congress shall be made up of a ----------- and a ------------. It says that the President shall be chosen by -----------. Our first President was ---------------------------------.

3. The Constitution says that the ------------ authority belongs to the people. The people have ------------ some of their authority to the Federal Government.

4. The opening sentence of the Constitution tells the ----------- of the Constitution and the Federal Government. The Constitution tells how the Federal Government is to be --------------.

5. Under the Constitution all of the States are -------. The Fathers of the Constitution agreed that there should be ------------- branches in the Federal Government. In the United States all persons are ------------ before the law. Ours is a government of ---------- and not of -------------------.

6. The people can always change their Government by ------------------------------------ the Constitution.

Questions to discuss in your study group:

1. Can you name a group you know in which the authority belongs to a number of persons? Do you know a group in which all of the authority belongs to one person?

2. Has authority been passed along to you in any of the groups to which you belong? Do you lead in any of your groups? Why must we have wise persons to lead in a democracy?

3. Why should every good citizen in this country know something about his Government groups? Make a list of the principles on which the citizens agree. Name the principles about which the Fathers of the Constitution did not quarrel. Give examples of some of them.

CHAPTER VI

Early Changes in the Constitution and Government

> "The American Government is often spoken of as a government based on faith in majorities. . . . But the Government is never handed over to the absolute [complete] control of the majority."
>
> —*Thomas M. Cooley.*

No constitution or government can remain without changes. Time brings new needs. The wants of the people change. The Fathers of the Constitution intended that it should be used for many years. But they knew that changes would be necessary.

THE WAYS OF CHANGING THE CONSTITUTION

The Constitution sets out two ways by which changes may be suggested. It also sets out two ways by which suggested changes may be approved by the people. These are listed in Article V of the Constitution.

A change or *amendment* must be suggested. It must be written out in good form. It must be prepared for a vote. Either House of the Congress may suggest an amendment. But two-thirds of the members in each House must approve it.

The Constitution was prepared by a convention. The people may prefer that a suggested amendment be prepared in a convention. The Constitution says, therefore, that amendments may be prepared in that way. If the legislatures of two-thirds of the States request it, the Congress must call a national convention to prepare a suggested amendment. Thus far, no amendment has been prepared by a national convention.

After a suggested amendment has been passed by the Congress, it must be ratified (accepted) by the States. The Congress may send it to the State legislatures. But the Congress may ask the States to hold special conventions to vote on the suggested amendment. Whenever three-fourths of the State legislatures or State conventions vote "yes," the amendment becomes a part of the Constitution.

Twenty-five amendments have been added to the Constitution of the United States. They were prepared and agreed upon by a two-thirds vote in both Houses of the Congress. All but the Twenty-first Amendment were sent by Congress to the State legislatures. They were ratified in that way. But the Congress asked the States to call special conventions to vote on the Twenty-first Amendment. It was ratified by a vote of "yes" in the special State conventions.

THE BILL OF RIGHTS

The people who settled early in America loved their liberty. They were free to own property. They could marry and set up homes. They could worship God as they pleased. The people never allowed the governments of the colonies or of the States to destroy their rights.

Each person had to use his liberty in a way which would not hurt others. For every right there was a duty. Only by carrying out their duties could they enjoy these rights.

The Constitution did not include a statement of the rights of the people. Each State constitution contained a bill of rights. The Fathers of the Constitution thought that that was enough. Also, the Federal Government was to have only the authority given it by the clear words of the Constitution. The important thing, therefore, was to say what the Federal Government could do—not to say what it could not do.

We remember that some of the State conventions did not want to ratify the Constitution. They said that it did not require the Federal Government to respect the rights of the people. They wanted the Constitution to say that the new Government must respect their rights. Some of the State conventions would not ratify the Constitution until the other States agreed that a Bill of Rights would be added later.

The first Congress under the Constitution prepared a list of suggested amendments containing the rights of the people. All of the State legislatures ratified ten amendments by the end of 1791. These became the first ten amendments to the Constitution. They are called the "Bill of Rights." They say that the Federal Government cannot do certain things. They also say that there are certain rights that belong to the people. They are not limited to just citizens. Let us study some of the rights which are protected.

THE RIGHT TO CHOOSE ONE'S OWN CHURCH

The First Amendment says that the Federal Government shall not do certain things. It says that the "Congress shall make no law respecting an *establishment* of *religion,* or *prohibiting* the free exercise *thereof;* or *abridging* the *freedom* of speech, or of *the press;* or the right of the people *peaceably* to *assemble,* and to petition the Government for a *redress of grievances.*"

We see, first of all, that our Government is to be kept separate from the church. In some countries the government had supported one church and had made trouble for those who refused to support it. Many people came to America in order to be free to choose their own churches. The First Amendment protects our right to join the church we please. We do not need to belong to a certain church in order to own property, to marry, to vote, or to be a public officer.

The First Amendment does not give a person the right to refuse to obey proper laws because his church does not believe in the laws. The Government may force a person to support it even though his church does not agree. The Government may order a person to join the army and fight for his country. The Government may force us to respect the flag of our Nation.

The chief purpose of this part of the First Amendment is to prevent the Federal Government from setting up a church and making all people support it. If the people want to keep the right to choose their own church, then the Government which protects the right must continue to exist. If there is no government, the right will be of no value. For this reason the people must obey all laws that are passed to keep enemies from destroying the Government. The duty is just as important as the right.

RIGHTS OF FREEDOM OF SPEECH AND OF THE PRESS

The First Amendment also says that the Federal Government cannot keep us from saying, writing, or printing anything we wish. We are free to enjoy these rights only so long as we do not hurt someone else. If we hurt people by saying or writing things that are not true, they may go to court against us.

The right of freedom of the press is also protected. This means that newspapers and magazines are free to print the different opinions of the people even if these opinions are not wise or correct. We believe that it is better to let the people read the different opinions than to allow our officers to say what may be printed. In a democracy it is important that the people have full information on all questions. The officers must know the wishes of the people if they are to pass laws that the people need and want. What the press prints is one way the officers learn what the people want.

But freedom of the press must be limited. For example, the Government may punish those who urge others not to obey the law. Also, the Government can order the newspapers not to print National Defense secrets.

THE RIGHT PEACEABLY TO ASSEMBLE

The First Amendment also gives "the right . . . peaceably to assemble." This means that the Government cannot keep us from gathering in a quiet manner in groups for any proper purpose. The colonists often met to decide questions of public interest. The King's officers could not stop them so long as they did not fight among themselves. The right belonged to the colonists because they were English.

We also want the right to meet together in groups. We want to give one another our opinions on different matters. In some countries, when groups want to gather and talk, the officers refuse to permit it. But in the United States, our officers cannot prevent any group from meeting for a proper purpose. We may have to get a permit from our Government in order to meet together. But we do not fear the officers. If our meeting is for a proper purpose, the officers cannot refuse the permit. In a democracy, where the people rule, this is an important right. The First Amendment says that it cannot be taken away by the Federal Government.

THE RIGHT TO ASK FOR CHANGES IN THE LAWS

When the colonists asked King George III to change the tax laws, they used a right that had belonged to Englishmen for a hundred years. It is called the right of petition. The colonists wanted to keep this right and they listed it in the First Amendment.

Any person or group of persons may petition the Government to change the laws. The Government cannot take away this right. Of course, our requests are not always answered in our favor. Some requests are wise while others are not. But the right is ours. No officer can take it away from us.

THE RIGHT TO BE SAFE IN OUR LIVES AND HOMES

After the French and Indian War, Great Britain had soldiers live in the homes of the colonists. She did not ask whether the owners wanted them. The officers sometimes searched the people's houses. They often took property without telling why. The lives and homes of the people were not safe. The people wanted to make sure that our Government would not do these things.

The Second, Third, and Fourth Amendments guard the people against such strong actions. The Second Amendment says that the Federal Government shall not take away the right of the people to bear arms. This gives the States the right to have a group of men trained in the use of firearms for use in time of need. This group is called the militia.

The Third Amendment says that in time of peace no soldiers shall be placed in private houses unless the people who own them agree to it. The Fourth Amendment guards the rights of the people to be safe from unreasonable searches. Private property cannot be taken except under a written order of an officer which tells where to look and what to look for. These amendments are intended to make the people safe in their homes.

THE RIGHT TO BE TREATED FAIRLY IN THE COURTS

In some countries, men have been sent to prison without being given a chance to prove that they did not break the law. Men have been tried and hanged for things they did not do. Others have been tried before judges who were not fair. Still others have been put in jail without being told why. The people wanted to make sure that the new Federal Government would not allow these things to be done.

The Fifth, Sixth, and Eighth Amendments give every person the right to a fair *trial* when he is charged with having broken a law of the Federal Government. A person cannot be tried unless a special body of men, known as a grand jury and called together by the court, has heard the charges and decided that he should be tried. He can demand a quick and public trial before a judge and jury in the State and district where the crime took place.

Any person accused of a crime can demand that he be told plainly what his crime was. He must be allowed to hear and to question those who accuse him of a crime. He has a right to make any person come to court and tell what he knows about the wrong. He can ask that he have a lawyer. He cannot be forced to say that he has broken the laws.

The officers cannot take a person's life and liberty unless the rules set out by the law are followed with care. And his private property cannot be taken for public use unless the fair market value is paid for it.

These rights are most important. The judges guard them with care. Before any person is sent to prison or put to death by the Government, the judge tries to make sure that these rights have been protected. The Supreme Court of the United States has often ordered a new trial because the judge did not protect some of these rights.

OTHER RIGHTS OF THE PEOPLE

The Ninth and Tenth Amendments say that there are other rights that belong to the people. The rights listed in the Constitution and in the amendments are not the only rights of the people. The Ninth Amendment says that other rights are not taken away because they are not mentioned. For example, a person has a right to marry, to have a home, to have children, and to send them to public or private schools. These rights are not listed in the body of the Constitution or in the Bill of Rights.

Yet they are rights that the people must have if they are to be free.

The Tenth Amendment keeps certain authority and rights for the people. It says that any authority not delegated by the Constitution to the Federal Government, nor clearly taken from the States, belongs to the States or to "The People." The Federal Government cannot object when people use the authority that belongs to them. When the Government uses authority that belongs to the people, the people can compel the Government to obey the Constitution.

THINGS TO DO

Questions to discuss in your study group:

1. Why is it necessary at times to change our Constitution? How many times has the Constitution of the United States been changed by amendment? Who prepared the amendments? What were some of the purposes of the amendments?

2. Tell the two ways in which suggested amendments to the Constitution may be prepared. Tell two ways by which they may be accepted or agreed to by the States.

3. Did the Fathers of the Constitution put the Bill of Rights in it? Why was a Bill of Rights added? How many amendments make up the Bill of Rights?

4. What is meant by a "right"? Give an example. Are our rights full and complete? Why or why not?

5. Would you answer "yes" or "no" to each of the following statements?

Yes	No	
—	—	*a.* Does the Bill of Rights protect only those persons who are citizens?
—	—	*b.* May the Federal Government compel the people to attend a special church?
—	—	*c.* May you say anything that you please as long as it does not hurt other persons?
—	—	*d.* May newspapers print opinions that are against the wishes of the President and the Congress?
—	—	*e.* Are the rights of the people unlimited?
—	—	*f.* Do citizens of the United States have a right to meet together in a quiet manner to talk over their questions?
—	—	*g.* If your street is dark, can you petition the public officers to light the street?
—	—	*h.* In time of peace, could the Government force you to let soldiers live in your house if you did not wish to have them?
—	—	*i.* Can officers search your home and take your property without telling you why and what they are looking for?
—	—	*j.* Can you be sent to prison without a chance to prove that you have not broken the law?
—	—	*k.* Can a person charged with a crime demand a quick and public trial?
—	—	*l.* Can a person charged with a crime be held for many years without a trial?
—	—	*m.* Can the Federal Government use authority that is not given to it by the Constitution?
—	—	*n.* Are all of the rights of the people listed in the Bill of Rights?
—	—	*o.* If the Government uses authority that belongs to the people, can the people force it to obey the Constitution?

Chapter VII

Other Changes in Our Constitution and Government

> "The American Constitution has been changed, is being changed, and will continue to be changed by interpretation and usage [long-continued practice]. It is not what it was even thirty years ago; who can tell what it will be thirty years hence [from now]?"
>
> —*James Bryce.*

The first ten amendments were added to the Constitution soon after it had been ratified by the people. Fifteen other amendments have been added. In order to know the full authority of the Federal and State Governments, we must also study these amendments.

The Constitution has grown by other means. We should know something about these other changes and how they are made.

AUTHORITY TAKEN AWAY

The Fathers of the Constitution thought that some of the States might favor their own citizens. They wanted the citizens of all States to be treated fairly. Under the Articles of Confederation some of the States had favored their own citizens.

The Constitution said that a citizen of one State who had been wronged by another State could sue the State in the Federal courts. But for many years the rule had been that a State could not be sued except in its own courts. The people did not like the new rule laid down in the Constitution. The Eleventh Amendment changed the new rule. It says that no State can be sued in the Federal courts by citizens of other States or by aliens.

By the amendment, a part of the authority of the Federal courts was taken away.

The Eighteenth Amendment attempted to stop trade in alcoholic drinks. It gave the Federal Government authority to control the making and the selling of these drinks. But the Twenty-first Amendment did away with the Eighteenth Amendment. It placed the control of alcoholic drinks in the hands of the States.

This is a good example of how our *Federal System* of Government works. It took a Constitutional amendment to place the control of alcoholic drinks in the hands of the Federal Government. The Congress could not delegate this power to the States. It took still another amendment to take the power away from the Nation and return it to the States.

CHANGES IN THE ORGANIZATION OF THE FEDERAL GOVERNMENT

One of the purposes of a constitution is to say how the government shall be organized. The Constitution said that the people in each State should choose electors who should elect a President and a Vice President. It said that the electors should *vote* for two men. The man who got the largest number of votes, if a *majority*, should be President.

A change was made by the Twelfth Amendment. It says that the electors must vote for President and for Vice President. They must name the person for whom they vote for each office.

The Constitution had said that Senators must be elected by State Legislatures. This created a bad condition. Sometimes Senators were not elected right away because the State legislators argued for a long time over who should be given the job. At other times men were made Senators for improper reasons. The Seventeenth Amendment took the right to choose Senators away from the legislators and gave it to the people.

The Twentieth Amendment changed the date on which members of the Congress take office. The members take office in January following their *election* in November. The Congress by law can fix a different date. Before the change was made, the members of the Congress usually did not take office until thirteen months after their election. The change makes it possible to carry out the will of the people at an earlier date than was possible before the amendment.

The Constitution provides that the duties of the President shall pass on to the Vice President in case of the removal, death, resignation, or inability of the President to discharge the powers and duties of his office. The Twenty-fifth Amendment was added in 1967 for the purpose of clarifying how the disability of the President shall be determined. It also provides for the filling of the office of Vice President should that office become vacant for any reason.

MORE AUTHORITY GIVEN TO THE FEDERAL GOVERNMENT

Two of the amendments added to the authority of the Federal Government. Many people said that the Federal Government should put an end to *slavery* in the United States. But the Federal Government did not have the authority to do so. The Thirteenth Amendment ended slavery. It gives the Congress authority to pass laws to prevent any person from being held as a slave.

The Congress cannot place a direct tax on the people unless the amount of money to be raised by the tax is divided among the States according to population. The Supreme Court held that the income tax is a direct tax. The Sixteenth Amendment changed a part of the rule. It says that the Congress can collect taxes on incomes without dividing the tax among the States according to population.

LIMITS ON THE AUTHORITY OF THE STATES

The States had passed many laws that made it hard for the Congress, under the Articles of Confederation, to govern the Nation. It was only natural, therefore, that the Fathers of the Constitution should limit the authority of the States. They wrote into the Constitution a list of things that the States cannot do. For example, they said that no State shall coin money. This authority belongs to the Federal Government.

After the slaves were set free, it was thought necessary to protect their rights as citizens. Some of the States had refused to let them be citizens. The Fourteenth Amendment made them citizens of the United States. It also made them citizens of the States in which they lived. It declares that no State shall take away the life, liberty, or property of any person except according to the law of the State. It orders the States to give equal protection of the laws to all persons. It gives the Congress authority to see that these rights are protected.

THE RIGHT TO VOTE

The Fathers of the Constitution left the States free to say who should be permitted to vote. The people who favored the Thirteenth Amendment feared that some of the States might keep some citizens from voting because of their race or color. In order to make sure that this would not be done, the Fifteenth Amendment was added to the Constitution. It declares that no State shall refuse to permit a citizen to vote because of his race or color. The Nineteenth Amendment declares that no person shall be barred from voting because of *sex*. The Twenty-fourth Amendment says that no citizen shall be prevented from voting for the President, the Vice President, or members of the Congress because he has not paid a tax.

The Fifteenth, Nineteenth, and Twenty-fourth Amendments do not give any person the right to vote. They prevent any State from taking away the right to vote because of race, color, sex, or failure to pay a tax. This leaves the States free to limit the right to vote for other reasons. We shall study this right more fully in a later chapter.

The Twenty-third Amendment gives citizen residents of the District of Columbia the right to vote for the President and Vice President.

GENERAL LAWS HAVE DEVELOPED THE CONSTITUTION

The Constitution has been changed to serve the needs of the people. When it was accepted in 1789, there were no large cities. There were no railroads and very few factories. Most of the people lived on farms. Today, the majority of the people live in cities. Their lives are tied together. Our Government had to serve new needs of the Nation as they arose. How was this done?

First: The Constitution has developed through general laws. The Congress, the President, and the courts have needed help to carry out their duties. Boards have been set up to study the needs of the people and to advise the Congress of changes that should be made in the laws. The Congress has set up other Government boards and officers with authority to make rules that have the effect of law.

The Congress has passed laws giving the President more Departments in his Cabinet. In 1789, there were only four Departments. Today there are 11 Departments. The Congress has added new Federal courts as they have been needed. By these and other general laws, the Congress has helped to organize the Government under the Constitution. The Government has been changed to meet the new needs of the people of the Nation.

TREATIES HAVE DEVELOPED THE CONSTITUTION

Second: The Constitution has developed through treaties. The United States must get along well with

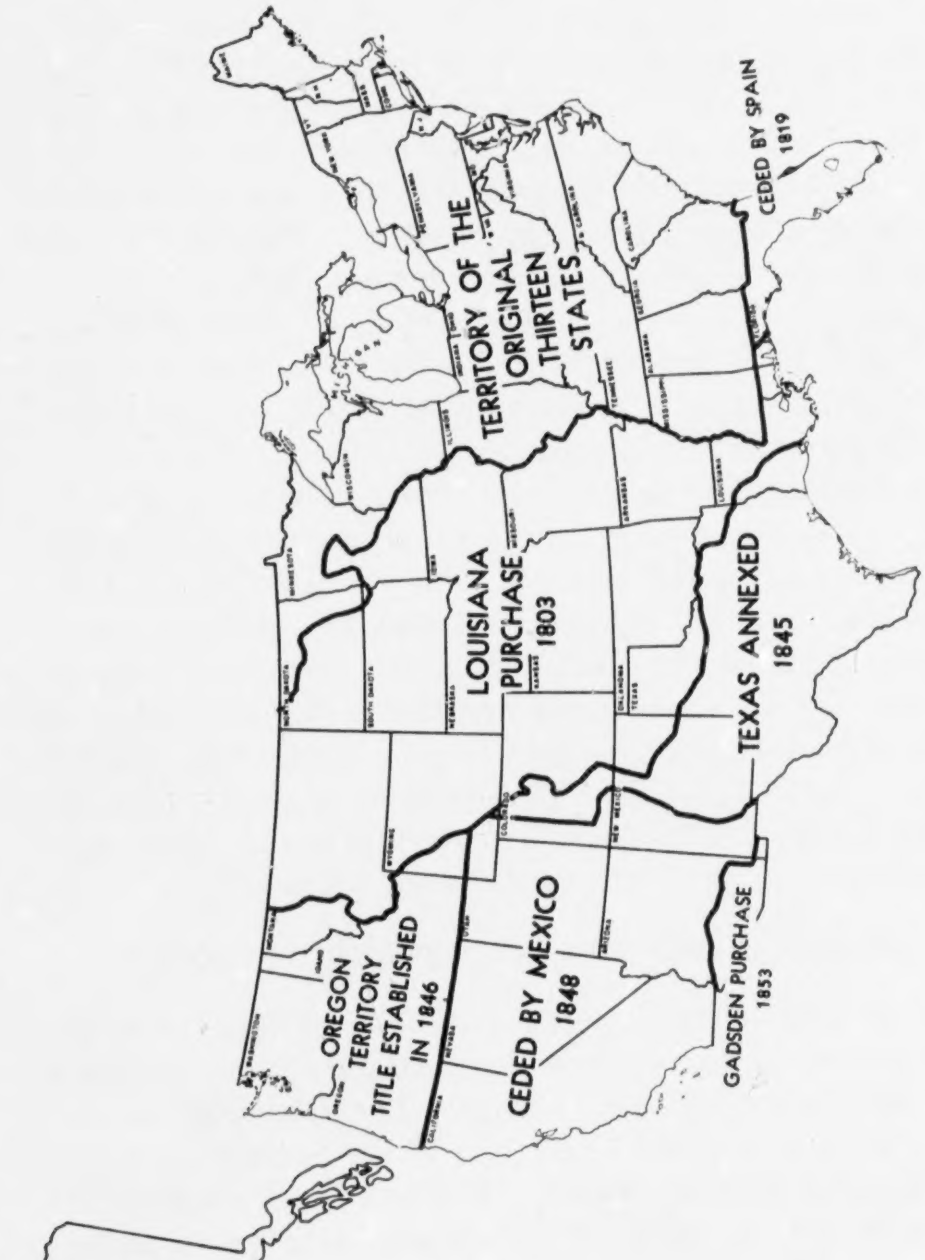


Figure 5
Map: The United States of America

other nations. We trade with people in many lands. The ships of other nations often carry our goods. Our citizens travel, live, and die in other countries. The citizens of other nations live and trade here.

The Fathers of the Constitution did not know what matters should be covered by treaties. They decided to let the President and the Senate develop this part of the Constitution. They declared in Article II that the President "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur."

The Constitution does not say when or on what subjects treaties shall be made. These matters are left to the President and to the Senate. For example, the Constitution does not say whether citizens of other countries can own land in the United States. But the President and the Senate have made treaties with other nations giving their citizens the right to own land in the United States. Texas came into the Union by a treaty with the United States. These are two examples that show how treaties help to give life to the Constitution.

THE FEDERAL COURTS HAVE DEVELOPED THE CONSTITUTION

Third: The Federal courts have helped to develop the Constitution. They explain the meaning of our Constitution, our laws, and our treaties. The Constitution, for example, says that the President, if the Senate approves, may appoint certain officers. But can the President put a person out of office if the Senate refuses to agree? Again, the Constitution declares that the Congress, by a two-thirds vote of both Houses, may pass a law against the wishes or *veto* of the President. What is meant by a two-thirds vote? Does it mean two-thirds of all the elected members of each House or only two-thirds of those who choose to vote? The Constitution is silent on these questions. The Federal courts have had to answer them. The answers have given meaning to the Constitution.

THE PARTY SYSTEM HAS DEVELOPED THE CONSTITUTION

Fourth: The customs and practices of our political party system have helped to develop the Constitution. For example, the Constitution declares that there shall be a President, Senators, Congressmen, judges, and other officers. It tells by whom they shall be elected or appointed. But it says nothing about how persons shall be put forward or *nominated* for these positions.

The way in which names are put forward is just as much a part of our plan of government as if it were written into the Constitution. It is done by political parties in ways that have developed over the years. For example, if a representative is to be elected, then each party chooses the man it wants. The parties then give to the voters the names of the men they have chosen. The voters choose the man they want to serve them as an officer.

Sometimes the officer is appointed, rather than elected. It is the custom of the President, for example, to appoint a man from his party unless the law says "no." Other elected officers (Governors and mayors) usually follow this same practice.

The Constitution does not even mention political parties. Yet they have helped to make our plan of government work. They have helped to develop our Constitution.

THINGS TO DO

Questions to discuss in your study group:

1. What authority was taken away from the Federal courts by the Eleventh Amendment? What authority was taken away from the Federal Government by the Twenty-first Amendment? What was done with the authority that was taken away from the Federal Government?

2. What was the purpose of the Twelfth Amendment? State the purpose of the Seventeenth Amendment. How did the Twentieth Amendment change the organization of the Federal Government?

3. What did the Thirteenth Amendment do other than end slavery? Why was the Sixteenth Amendment necessary?

4. Why is the Fourteenth Amendment important?

5. Why are women interested in the Nineteenth Amendment?

6. Why do nations enter into treaties with one another? Can you suggest some matter of common interest to the United States and other nations on which a treaty might be entered into? Give an example of how a treaty has helped to develop the Constitution.

7. Was there a system of Federal courts under the Articles of Confederation? What change, in this matter, was made by the Fathers of the Constitution? Why was the change made?

8. Explain what is meant by political parties. What work do they do to help develop the Constitution and Government?

Chapter VIII

Giving the Government Authority To Do Its Work

"The Supreme Court is the living voice of the Constitution."

—*James Bryce.*

We live under a Constitution that was written more than 175 years ago. We are able to do this because the Constitution says that it may be changed. Thus, our Constitution is a living, growing plan of government. It has not been necessary to use force to change our Constitution as has been the case in other countries.

We remember that authority is necessary in all group life. We are now ready to examine the authority of our different governments. But first we shall study where the government gets its authority to govern and how that authority is used.

FINAL AND DELEGATED AUTHORITY

We know that in every group some person or persons have the final authority. We know also that those who have the final authority do not always personally use it. They delegate authority to others. Very often the final authority belongs to all the members of a group. But the members delegate some authority to chosen representatives.

A few examples should make the point clear. Let us study the market on the corner where we trade every week. Suppose that we are not satisfied with certain goods that we bought there. We want to return them. Suppose that we talk to all the clerks in the store. None has the authority to give back our money. We would not want to continue to trade there because no person has final authority. No one has authority to say what shall be done.

66

The person who has final authority at the market may employ clerks. If so, then he must give some authority to them or else they will have nothing to do. Perhaps he delegates authority to sell and authority to keep the books. He sees those who want to return goods. Although we may not stop to think about it, we can see both final and delegated authority used at our corner market.

Let us also examine the Constitution of the United States. In 1787, the people of the thirteen States could not meet together to write the Constitution. They had few roads. They could not be away from home for four months. They wanted a better government than the Articles of Confederation had given. The people had the final authority, but they could not come together to use it. So the people gave authority to delegates to plan a government that would better serve all the people of the country.

The Fathers of the Constitution could not accept the plan for the people. They did not have final authority. They sent the Constitution to the people for a vote. The people selected other representatives to meet in State conventions. The people gave them authority to vote "yes" or "no" on the new plan of government. The final authority to accept the Constitution belonged to the people of the United States.

Every officer of the Government has only delegated authority. For example, if we plan to become citizens, we must be examined. But we will want to know that we are examined by an officer who has delegated authority to do his work. We have a Government of delegated powers. Our officers have only such authority as is delegated to them by the people in the Constitution and laws.

FINAL AUTHORITY IN THE FEDERAL GOVERNMENT

When we consider where our government gets its authority, we remember that in a democracy the people have the final authority. The people through their representatives made the Constitution. It says that "The People" accepted the Constitution and delegated the authority to govern to the different branches. It has never been suggested that the final authority be taken from the people and delegated to one class or group of men.

The Government of the United States is a government of the people, by the people, and for the people. It is a government "of the people" because it belongs to all—not to one class or group. It is a government "by the people" because the people select the officers who carry on the work of government. It is a government "for the people" because it is planned for the good of all the people.

It is important that the people know the needs of the whole country. We should study the needs of all groups and of all States. We should select able representatives who will work for the good of all. Only in this way can government by the governed be wise.

DELEGATED AUTHORITY IN THE FEDERAL GOVERNMENT

When the people lived near one another, they could meet to make laws. They could carry out the laws. When the laws were not clear, the people could decide what they meant. The people often did this in the New England Colonies. The people governed themselves. They did not need many representatives with delegated authority.

But the whole people of the United States cannot meet together to make their own laws. The Fathers of the Constitution, therefore, planned a government by officers with delegated authority. They wrote the plan into the Constitution.

The Constitution delegates authority to some representatives, elected by the people, to make laws. Article I of the Constitution declares that all lawmaking powers of the Federal Government belong to a "Congress of the United States." The Constitution tells the Congress what it can and cannot do. It lists the subjects on which Congress can make laws. For example, it is given authority to levy and collect taxes. The power to tax is, therefore, one of the delegated powers of the Congress.

The people cannot go out in one great group to enforce the laws that have been passed by the Congress. The Constitution, by Article II, delegates this authority to "a President of the United States" and to the Executive Branch of the Federal Government. For example, it says that the President "shall take care that the laws" are carried out.

The laws are not always clear. Often the people are not certain what the laws mean. The quarrels over their meaning must be settled. Those who break the laws must be punished. The people of the United States cannot get together in a body and do these things. They have, by Article III of the Constitution, delegated this authority to the Federal courts.

DELEGATED POWERS CAN BE TAKEN AWAY BY THE PEOPLE

The authority delegated by the Constitution and by the amendments to it is the only authority that may be used by the Federal Government. When the Congress passes a law, or the President carries out a law, or a Federal court explains a law or punishes a person for breaking the law, each of them must act according to the authority delegated to them. For that reason we say that we have "a government of laws and not of men."

The authority delegated can be taken away or added to by the people. The Eighteenth Amendment delegated authority to the Congress to control trade in alcoholic drinks. But this delegated authority was taken from the Congress by the Twenty-first Amendment. By amending the Constitution, the people can give more or less authority to any branch of the Federal Government.

AUTHORITY IN STATE GOVERNMENTS

The constitution of each State declares that the final authority in the State government belongs to the people of that State. The people have the final authority in their State government. But the people must do nothing that goes against the Constitution, laws, and treaties of the United States. The Constitution places many limits on the States, which the people of each State must obey in writing their own State constitution.

Each State constitution sets up three branches of government with delegated authority. To the lawmaking branch, the people have delegated authority to lay down rules of action or laws. To the executive branch, they have delegated authority to enforce the laws. To the State courts, they have delegated authority to explain and decide law questions.

Each State constitution tells how it may be changed. An example of an important change in the way one State government is organized may be found in Nebraska. The Constitution of Nebraska had divided the lawmaking branch into "two houses." But the people of Nebraska decided that a lawmaking body of only one "house" would be better. They changed the State constitution and declared that the lawmaking branch should contain only one house. The people made a change in the way their State government is organized. But they did not change its representative form.

DELEGATED AUTHORITY IN TOWN AND CITY GROUPS

The final authority in cities and towns belongs to the State. A city or town is governed under a charter. This is a statement in writing that lists the authority delegated to the town or to the city by the State.

Of course, the same kind of authority will not satisfy all parts of a State. In some parts of the State most of the people work on farms. In other places, they live in towns and cities. They work in stores and factories.

THE AMERICAN'S CREED

I believe in the United States of America as a Government of the People, by the People, for the People; whose Just Powers are Derived from (Given by) the Consent (Will) of the Governed; a Democracy in a Republic; A Sovereign Nation of many Sovereign States; A Perfect Union, One and Inseparable (Always Together); Established upon those Principles of Freedom, Equality, Justice, and Humanity for which American Patriots Sacrificed (Gave) their Lives and Fortunes (Money).

I Therefore Believe it is My Duty to My Country to Love it; to Support its Constitution; to Obey its Laws; to Respect its Flag; and to Defend it Against All Enemies.

William Tyler Page

Figure 6

The American's Creed

The people in each town or city want to look after the things that concern them. Thus, the State will try to look to the best interests of all in deciding what authority to delegate to the people of a certain town or city. The State can pass a law at any time to add to or take from the authority that has been delegated unless the State constitution prevents it.

The government of each town or city is organized according to the authority delegated by the State. Within the limits of the delegated authority, the people of the city have the final authority. If the people want different authority, they must ask the State government to make the changes.

The State has final authority over all of its parts. The town or city is only the representative or *agent* of the State to do the things which the State itself could do. The town or city carries on the work of government for the State.

IMPORTANCE OF KNOWING WHERE AUTHORITY RESTS

If we want to get things done, we must know who has the authority to do them. If we want to know where to place the blame when things are not done well, then we must know the delegated authority of each of our government groups. We need to know what authority has been delegated to the officers of the Federal, State, and local governments. If we know the delegated authority of our different governments, then we can go to the proper officers when we want things done.

When the people know what authority has been delegated, they can make changes to meet new conditions. For example, if the city is trying to do a thing that it cannot do well, then perhaps the State should take back the delegated authority over that subject. If the Nation can do a thing well that the fifty States do not do well, then the people can delegate authority on that matter to the Federal Government. Only when the people know what authority has been delegated and study how it has been used can they make necessary changes in delegated authority.

THINGS TO DO

Choose the word or group of words that will make each of the following a correct statement:

1. Only the Federal Government has the authority to—
    - *a.* make treaties with foreign countries.
    - *b.* make laws.
    - *c.* carry out laws.
2. The State governments have the authority to—
    - *a.* admit new States into the Union.
    - *b.* set up local governments within the State.
    - *c.* declare war.
3. The Federal Government has the authority to—
    - *a.* set up a State church.
    - *b.* set up *county* governments.
    - *c.* tax goods coming into the United States.
4. The powers granted to the Federal Government in the Constitution are called—
    - *a.* delegated powers.
    - *b.* denied powers.
    - *c.* the final authority.
5. If you are not a citizen of the United States and desire to become one, you must be examined by—
    - *a.* officers with delegated authority.
    - *b.* officers who have no delegated authority.
    - *c.* the President of the United States.
6. The Constitution of the United States places the final authority in our Nation in the hands of—
    - *a.* the Federal courts.
    - *b.* the States.
    - *c.* the people.

7. Our towns and cities have delegated authority which they get from the—
    - *a.* State.
    - *b.* Congress.
    - *c.* President.
8. Our form of government, in which we elect officers to act for us, is called—
    - *a.* a representative government.
    - *b.* a limited government.
    - *c.* a town government.
9. In the Federal Government, the authority to make laws is delegated to the—
    - *a.* Federal courts.
    - *b.* Congress.
    - *c.* President.
10. Delegated powers can be taken away from the Federal Government by the—
    - *a.* States.
    - *b.* people.
    - c. cities.

CHAPTER IX

How "The People" Use Their Final Authority

> "As governments are made and moved by men, so by men they are ruined, too. Therefore, governments rather depend upon men than men upon governments."
>
> —*William Penn.*

We have studied some of the rights of the people. We know that "The People" have the final authority in the United States. But the people do not meet at fixed times to make the laws. Rather, the people have delegated authority to others to carry on the work of the Government. We shall now study what is meant by "The People" and how they use their final authority.

THE VOTERS ARE "THE PEOPLE"

"The People" means those persons who have the right to vote. A person who has this right is called a voter. The people who vote control our government.

All persons cannot vote nor can all citizens vote. The States place limits on the right to vote. They have attempted to give the right to vote only to those citizens who understand what it means to vote.

WHO CAN VOTE?

The Fifteenth, the Nineteenth, and the Twenty-fourth Amendments of the Constitution limit the States. They say that no State can refuse the right to vote to any citizen because of race, color, sex, or failure to pay a tax. But each State can set up other qualifications for voters.

The limits on the right to vote are about the same in all of the States. The States will not permit a person to vote unless he is a citizen. All of the States require that a citizen must have been a resident of the State for a certain period of time before he can vote. Exceptions are made to this requirement when voting for President and Vice President.

If the right is to be used only by those who can understand what it means to vote, then there must be an age limit. Under the law, a citizen who is otherwise qualified to vote cannot be denied the right to vote in Federal elections on account of age if he is 18 years of age or over. Congress has also banned the use of literacy tests as a condition for voting.

If the citizen is qualified, then he can demand that his name be placed on the list of voters. When he votes he helps to express the will of "The People." He helps to say how the officers shall use their delegated authority.

"THE PEOPLE" USE THEIR FINAL AUTHORITY BY VOTING

A citizen uses his final authority and influences the Government in many ways. If he is qualified, he can vote and help to elect the officers who enforce the laws of the Nation. He can vote for the electors of the President and Vice President of the United States. He can help choose the governor of his State and the head of his town or city. Also, he can vote for those who make the laws of his Nation, State, town, or city. At different times the voters in the United States elect about 200,000 officers.

The citizen can also vote on amendments to the constitution of the State. The lawmakers often ask the voters to say whether public money should be spent for a library, a school, or a water system. The State constitutions and city charters often declare that debts above a certain amount must be sent to the people for a vote and approved. In some States the legislature may let the voters decide whether they want a certain law. In a very real sense then, the citizen who votes has the final authority. He has many chances to express his opinion on public matters.

Although the people may express their will by votes, we decide most public questions in the United States by a majority vote. It usually takes more than half of those who vote to determine what shall be done.

However, in elections where several persons seek the same public office, the winning *candidate* may get less than a majority of the votes cast, although receiving more than any of his opponents. The excess of his votes over those of the next highest candidate is called a "plurality."

The citizen should give serious thought not only to the right that he has, but also to his duty, to vote. He should vote every time he is asked to do so. Only in this way can we have "a government by the people."

LEARNING THE WILL OF THE MAJORITY

How can we know the will of the majority on any public question? In our home we can talk things over. We can do the same thing at work, at play, and in our neighborhood. But our government is large. The members cannot come together and talk things over.

We have had to find some other way by which to learn the will of the majority. We cannot place all possible names and questions before the voters. We must select a few from among the many. So over the years, and as a result of experience, the voters learn the will of the majority on public matters through *political parties.* Parties are the means by which the voters can make their influence felt.

PLATFORMS AND CANDIDATES

Each party has a prepared statement of the things for which it stands. This statement is called the party platform. It has been written by the members or the leaders of the party. It tells what the party thinks on the more important public questions. It says how the party would like to see the delegated powers used by the officer. Perhaps it calls for less or different taxes. It may describe changes that should be made in the delegated powers.

Most men who seek public office are nominated by a political party. They are called "candidates."

In most States the candidates are selected by the parties. The party may select its candidate by written vote at a party election. It may hold a party convention to select the candidate of the party. For example, the candidates for President and Vice President are selected in national party conventions.

THE VOTER AND HIS PARTY

Each political party wants to win control of the Government by getting a majority of the votes on election day. Meetings are held. All voters are free to attend. Copies of the party platform are given to the voters. Members of the party make speeches and urge the voters to elect the party candidates. Booklets are printed that show what the men in office have or have not done and what the candidates of the party promise to do if they are elected.

A citizen may join any party he pleases, and may attend its meetings and serve on its committees. He can make speeches and hand out copies of the party platform. He can ask other voters to give his party a majority of the votes on election day. He can play a very real part in carrying on the work of his Government.

THE SPIRIT OF DEMOCRACY IN THE UNITED STATES

When the voters decide a public question, every citizen should accept what has been done until the time comes for another election. In some countries, the party that loses an election tries to gain control of the government by force. But that is not the way we do things in the United States.

The people of the United States decide public questions by votes—not by force. The voters may make mistakes. The wrong candidate may be elected. A bad platform may be accepted by the voters. But the voters make their own mistakes. They have a right to try to correct the mistakes at certain fixed dates of election. We make the best of things today. We know that we will have a chance to change them at election time if we are not satisfied.

THE PRICE OF GOOD GOVERNMENT

Neither the party nor the Government should get into the hands of a few men. Bad government in a democracy is possible only when the voters allow it.

We should elect only able representatives. After they are in office, we should take an interest in how they do their work. Do they make laws for which there is a real need? Do they change the laws that have not worked well? Do they enforce the laws and see that the people obey them? Are the judges fair in the trial of cases? These and many other questions should be of special interest to every citizen who wants good and honest government.

HOW THE VOTERS LEARN

Every voter should think for himself both before and after elections. He should know why he is for or against a certain candidate or platform. He should understand why he favors changes in the laws or is against suggested changes. How can he do this?

In the first place, he can listen to the people who want to help him. These people write newspaper articles. They give talks to interested groups. They explain the record of the party in control of the Government and tell what changes should be made. Of course, the voter cannot believe all that he reads or hears. But he can compare statements given with the facts that he has, or with his own experience.

In the second place, he can get much information from his family. The members of the family often talk about what they have read or heard. And the home is not the only place where this is done. The voter does the same thing in his work and his neighborhood groups.

In the third place, he can meet with other people to talk things over. Farmers, for example, often come together to consider the opinions expressed by different candidates or in different party platforms. Wage earners gather to give each other their thoughts on such questions as hours, wages, and conditions under which they work. The members of all groups talk, listen, read, give and get information, and form opinions.

FORMING OUR OPINIONS IS A SERIOUS THING

The newspapers that we read may not agree on candidates or on party platforms. We can read books and articles on both sides of almost every public question. Even our friends do not always agree with our opinion. Yet, as voters, we must gather all possible information on candidates and political party platforms. From a study of all information at hand, we must form opinions and vote on public questions.

The right to vote is the most important right in a democracy. It is the right that will keep a free people always free. The public officers pass or enforce laws every day that affect our lives, liberty, and property. We should know whether these laws are good or bad. Every citizen owes it to himself, to his family, and to his neighbors to know the opinions of the men who ask for his vote. He should read what they write. He should hear what they have to say. But he should think for himself in order to make a wise vote.

We cannot know whether our officers are honest and able unless we study what they do in public office. We should compare their promises with their acts. We should always vote on election day. If we neglect or forget to vote, then the rule of the people will become the rule of the few. One leader of his party said: "We, the people, are the masters." Our opinions are important in a democracy. Our opinions should be formed only after a full study of the facts on public questions. In that way we can make our Nation safe from the danger of changes by force.

THINGS TO DO

Questions to discuss in your study group:

1. What do we mean by "The People" in the United States? Can you think of any groups of persons who are not permitted to vote to whom the right should be given?
2. List the points, in general, that a citizen must satisfy before he can ask for the right to vote. Can you think of other points that should be added?
3. What is the purpose of the Fifteenth, Nineteenth, and Twenty-fourth Amendments to the Constitution of the United States? Why were they added to the Constitution?
4. List three public matters on which "The People" in your State may be asked to vote.
5. What part do political parties play in learning the will of the majority?
6. Tell five points that you think your political party should write into its platform. How do you decide which candidate you will vote for at a given election?
7. What is meant by a "government by the people"?
8. Choose the answer that makes each statement true.
   a. Limits are placed on the right to vote by the—
      1. Cities.
      2. States.
      3. courts.

   b. The Fifteenth Amendment limits the authority of the States to place limits on the right to vote on account of—
      1. age.
      2. race.
      3. political party.

c. A citizen who desires to vote on election day must, before that date, go before the election officers and—

1. register (have his name placed on the list of voters).
2. pay all of his bills.
3. have his picture taken.

d. We usually decide public questions in the United States by a vote of the—

1. few.
2. majority.
3. male citizens.

e. The written statement of the things for which a political party stands is called the—

1. ballot.
2. platform.
3. candidate.

f. Bad government in a democracy is possible if the people—

1. make wise votes.
2. neglect or forget to vote.
3. do not stay at home.

CHAPTER X

Objectives of Our Federal Government

> "God grants [gives] liberty only to those who love it and are always ready to guard and defend it."
>
> —*Daniel Webster.*

The Federal Government holds the Union together. The word "Federal" means a system of government. It means that the authority to govern is divided by the Constitution between the Federal and State governments.

The Thirteen Colonies fought a war with Great Britain. They had a purpose or objective. They wanted to win the right to govern themselves.

We have studied how the new States, under the Articles of Confederation, failed to organize a good government. The people sent delegates to a convention in Philadelphia. The delegates had a purpose. They wanted to plan a strong Union for the States.

CONSTITUTION EXPLAINS PURPOSES OF FEDERAL GOVERNMENT

It was only natural, in writing the Constitution, to list the purposes or objectives that the Fathers of the Constitution had in mind. They stated the objectives in the *Preamble* of the Constitution. It contains only 52 words. But it sets out in clear and simple words the six purposes of the new Union. The passing of the years has brought new needs and new laws. But the six purposes of our Constitution and Government have not changed.

The Makers of the Constitution spoke for the whole American people. The Preamble does not say: "We, the States." Nor does it read: "We, the people of the States." It says: "We, the People of the United States." The Constitution was written and accepted for "The People."

PREAMBLE

We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Figure 7

The Objectives of Our Federal Government: Preamble of the Constitution

The Constitution lists six objectives which the whole people wanted in the new Constitution. The Federal Government was organized to serve those purposes. They are just as important today as they were in 1787.

"WE THE PEOPLE . . . TO FORM A MORE PERFECT UNION"

The first purpose, listed in the Preamble, is to "form a more perfect Union." How to set up a better Union was a hard question in 1787. Many people thought that in "a more perfect Union" the Federal Government should have more authority. Others thought that the States should have more authority than was delegated to the Federal Government.

Experience has proved that the Fathers of the Constitution selected the right objectives. The Constitution was a better plan of government than the Articles of Confederation. The new Union has lasted for more than 175 years. It has grown to fifty States. It is indeed "a more perfect Union."

NATURE OF THE UNION

Our Union is a strange one in some ways. We have a Union of the whole people. But we also have a Union of fifty States. Each State has its own authority. It can act on many matters without asking the Federal Government. The States often have different laws on the same subject. For example, the tax laws of two States are never the same.

Many years ago the people quarreled about the nature of the Union. Some of the States wanted to leave the Union. The other States said that this was impossible. But some States attempted to leave the Union.

There was a long war between the States to keep the Union from being broken up. At the close of the war, all of the States were still in one Union. The war proved that the States cannot destroy the Union. The Union cannot destroy the States.

Experience has proved that the Union is more perfect. Those who governed in the early years always asked whether a suggested change in the Constitution or Government would improve the Union. When we come to decide public questions today, we should do the same thing. The question of how to form "a more perfect Union" is always before the people.

"WE THE PEOPLE . . . TO *ESTABLISH* JUSTICE"

The second purpose of the Constitution is to "establish justice." This means to be fair in making and in carrying out the laws. This thought was taken from the Declaration of Independence. King George III had not been fair and just with the colonists. The Declaration of Independence told why the colonists wanted to organize their own government. They wanted fair laws. They wanted honest officers who would be fair in enforcing the laws.

Under the Constitution all persons must obey the law. One man may be rich and another poor, yet both are equal before the law. Both must obey the law. Both can demand that the law protect them in the use of all of their rights. The Government may punish one who does not obey the law, whether he be rich or poor.

In some countries there are different laws for different people. But in America this is not true. Any person who breaks our laws can be punished. Even judges can be sent to prison if they do not obey the law.

"WE THE PEOPLE . . . TO INSURE *DOMESTIC TRANQUILITY*"

The third purpose is "to insure domestic tranquility." This means to make sure of peace at home. The Fathers of the Constitution wanted to put an end to quarrels among the States. Thus one purpose of the Federal Government is to correct the conditions that cause the quarrels. The Federal Government can help the States to keep peace among their people.

The Federal Government must protect the States against attacks by foreign nations. If a State asks for it, the Federal Government will protect the State against armed attack at home. Each State has generally been able to put down attacks within its boundaries. But the Nation always stands ready "to insure domestic tranquility."

"WE THE PEOPLE . . . TO PROVIDE FOR THE COMMON DEFENSE"

The fourth purpose is like the third in some ways. The Constitution took the authority to declare war away from the States. This power was delegated to the Federal Government.

In 1789 foreign nations owned lands on three sides of the United States. The British were on the North in Canada. The French owned the Louisiana Territory on the West. The Spanish were in Florida to the South. The Fathers of the Constitution knew that, if these nations should attack one of the States, the Federal Government would have to help. "Common" means "all." The Federal Government should have power to defend all of the States.

The Constitution divides the duty of making a good defense between the Congress and the President. The Congress is given authority to declare war. It has authority to say how large the armed forces of the Nation shall be, and how the members shall be selected. But the Constitution places the President at the head of the Armed Forces.

"WE THE PEOPLE . . . TO PROMOTE THE GENERAL WELFARE"

The fifth purpose of the Constitution is to "promote the general welfare." "Promote" means to "work for." "General" means "all or the whole." "Welfare" means "good or success." The Government should work for the good of all the people.

The people had many troubles when the war with the British was won. Young men had been in the army when they were needed at home to raise the crops. Many of them had been killed in battles or died in camps. The houses, shops, and factories had gone without repair. Food and clothes were hard to get. Prices were high. The people were in debt. Taxes had to be paid. The Fathers of the Constitution, therefore, said that the new Federal Government should do things to help all of the people.

"WE THE PEOPLE . . . TO *SECURE* THE BLESSINGS OF LIBERTY TO . . . OUR *POSTERITY*"

The last purpose stated in the Preamble is that the people shall always be free to govern and to enjoy their liberty. This thought was copied from the Declaration of Independence. The Fathers of the Constitution believed that all men have the rights of "life, liberty, and the *pursuit* of *happiness.*" King George III and the Parliament had refused to respect these rights. They had tried to destroy the liberty of the people. Special examples were set out in the Declaration of Independence.

The Fathers of the Constitution wanted to make certain that the people would always control the Government. They said that the Government should never become strong enough to take away the rights of the people. They tried to guard the rights for all future citizens by limiting the authority of the Federal and State governments. They listed special things that our Government cannot do.

The limits placed on the authority of our Government have made it impossible for the Government to become too strong. The people have been free to go to the officers and to the courts to demand protection of their rights. The Constitution declares that our children and their children shall be free to enjoy their rights in the same way. The Fathers of the Constitution made this possible for us and for them.

For every right that we enjoy, there is a duty that we owe to others. If we want to keep our rights, then we must carry out our duties. Only in this way can we secure the "blessings of liberty" to our children and their children in future years.

THINGS TO DO

Put the correct word in the open space:

1. The government that holds the whole Nation together is called the ------------ Government. The Constitution provides for a ------------ system of government.
2. The Preamble to the Constitution of the United States begins with these words "---- ---- ---- ---- ---- ---- ----." There are ---- (give number of) purposes or aims set out in the Preamble to the Constitution. Every citizen should ------------ those objectives.
3. The first purpose listed in the Preamble to the Constitution is to "---- ---- ---- ---- ----." A State cannot ------------ the Union and the Union cannot ------ ------ the States.
4. The second purpose listed in the Preamble to the Constitution is to "---- ----." This aim was copied from the ------ ------ ------. In the United States, all persons are ------------ in the eyes of the law. People who cannot decide their quarrels may go into ------------ and have them decided.
5. The third purpose listed in the Preamble to the Constitution is to "------ ------ ------." The Nation stands ready to put down ------ on the states by foreign nations or to protect the states against ------ ------ at home.

6. The fourth purpose listed in the Preamble to the Constitution is to "---- ---- ---- ---- ----." The authority to declare ------ is taken away from the States and given to the ------------. The power to provide for the common defense is divided between the ---------- and the ------------.

7. The fifth objective stated in the Preamble is to "---- ---- ---- ----." Congress has power to lay and collect taxes to provide for "---- ---- ---- ---- ---- United States."

8. The last purpose stated in the Preamble is to "------ ------- ------- ----. -- ------ ------ ------ ------ -------- --------."

CHAPTER XI

How the Congress in Our Federal Government Is Organized

"*Error* of opinion may be tolerated [allowed] where reason is left free to combat [change] it."
—*Thomas Jefferson.*

We have studied the purposes which the Fathers of the Constitution had in mind. Those purposes must be followed by our Federal Government in everything that it does. But what is the Federal Government? The Constitution tells us how that Government is organized. It says how the different branches are to work together for the good of all the people.

If the people cannot meet to use their final authority, they must have representatives to make the laws. They must have officers to enforce the laws. They must have judges to explain what the laws mean.

We may well ask: How do the three groups of officers work together? What qualifications must they have? How long do they remain in office? What authority do they have? What limits are placed on the use of their authority? We shall now begin to answer these and other questions.

THE CONGRESS OF THE UNITED STATES

The Constitution deals with the lawmaking branch first. This is only natural. There must be laws before there is any need for officers to enforce them or to explain them. The authority to make laws is given to the Congress by Article I of the Constitution.

THE CONGRESS MAKES THE LAWS

THROUGH

THE SENATE

(100 Senators)

Qualifications: At least 30 years old, 9 years a citizen of the United States, an inhabitant of the State where elected.

2 Senators from each State

THE HOUSE OF REPRESENTATIVES

(435 Representatives)

Qualifications: At least 25 years old, 7 years a citizen of the United States, an inhabitant of the State where elected.

THE NUMBER OF REPRESENTATIVES SENT BY EACH STATE IS—

Alabama	8
Alaska	1
Arizona	3
Arkansas	4
California	38
Colorado	4
Connecticut	6
Delaware	1
Florida	12
Georgia	10
Hawaii	2
Idaho	2
Illinois	24
Indiana	11
Iowa	7
Kansas	5
Kentucky	7
Louisiana	8
Maine	2
Maryland	8
Massachusetts	12
Michigan	19
Minnesota	8
Mississippi	5
Missouri	10
Montana	2
Nebraska	3
Nevada	1
New Hampshire	2
New Jersey	15
New Mexico	2
New York	41
North Carolina	11
North Dakota	2
Ohio	24
Oklahoma	6
Oregon	4
Pennsylvania	27
Rhode Island	2
South Carolina	6
South Dakota	2
Tennessee	9
Texas	23
Utah	2
Vermont	1
Virginia	10
Washington	7
West Virginia	5
Wisconsin	10
Wyoming	1

(Based on 1960 Census)

After a bill has been passed by the Congress, it goes to the President. If he signs it, the bill becomes a law.

Figure 8

The Legislative Branch of Our Federal Government

The word "Congress" means "a meeting of representatives to act on public matters." The government that carried on the war against Great Britain was called the "Continental Congress." The Federal Government under the Articles of Confederation was called "The Congress of the United States." The word "Congress" was, therefore, well known to the Fathers of the Constitution.

The Constitution declares that the Congress shall be made up of two Houses. One is called the Senate. The other is called the House of Representatives. The members of the Senate are called "Senators." The members of the House are called "Representatives." Although both Senators and Representatives are Congressmen, usually only Representatives are called that.

A "*bill*" cannot become a law unless it is approved by both Houses of the Congress. Thus the two Houses are able to "check" the work of one another.

WHY WE HAVE TWO HOUSES IN THE CONGRESS

The delegates from the small States, in the Constitutional Convention, said that the States should have an equal vote in making laws for the Nation. But the delegates from the large States replied that the new Union was to be one of the people. They said that the number of Representatives from each State should depend on the population of the State.

The Fathers of the Constitution said that the new Union was to be a Union of the people and a Union of the States. They decided that there should be a Senate to represent the States. They agreed that there should be a House of Representatives to represent the people of the States. The States are equal in the Senate. Each State elects two Senators. The number of Congressmen is not the same for each State.

The Fathers of the Constitution followed an example which was used in the States at that time. The example had also been used in the colonies. The King permitted the colonists to have a lawmaking body which made some of the laws. But the laws had to be approved, in most of the colonies, by another group of men who were appointed by the King.

It was only natural, when the colonies became States, that the people kept the idea of two houses for the lawmaking branch. All of the States, except Pennsylvania and Georgia, had two houses in the lawmaking branch. The Fathers of the Constitution copied that example. They said that the Senate should represent the States. The House should represent the people. Both the Senate and the House should approve a bill before it could become a law. They thought there would be less danger of passing poor laws under this plan. This was a part of the "system of *checks and balances.*" We shall learn more about "checks and balances" in later chapters.

QUALIFICATIONS OF SENATORS AND CONGRESSMEN

Most of the State constitutions said that their State senators should be men of property, experience, and influence. The Fathers of the Constitution wanted the same kind of men in the Senate of the United States. They studied the matter with great care. They decided that United States Senators must have three qualifications. A Senator must be at least thirty years of age. He must be a citizen of the United States for at least nine years. He must live in the State that elects him. The States are free to add other qualifications, but they have not done so.

A Congressman must be at least twenty-five years of age. He must be a citizen of the United States for seven years. He must live in the State that elects him. Most of the States have been divided into districts. A Congressman usually lives in the district that elects him.

Each House is given authority, by the Constitution, to judge whether its members have the necessary qualifications. If it finds that a member does not have the necessary qualifications, it can refuse to let him be a member. If it finds that a member was not elected in a fair and honest way, or that he refuses to obey the law, it can refuse to let him be a member. If two persons claim to have been elected to the same seat, in the House or the Senate, the body in question decides which one to accept.

NUMBER OF SENATORS AND CONGRESSMEN

The Fathers of the Constitution thought that the Senate should be a small group. They said that each State should have two Senators. Thus, the small State of Rhode Island has the same vote in the Senate as the large State of Texas. The State of Nevada has as many votes in the Senate as the State of New York, which has over 50 times as many people.

The Constitution does not fix the exact number of Congressmen. It says that the Congress shall make an *official* count, every ten years, of all the people in the United States. This is called the *census*. After this is done, the Congress fixes the total number of Congressmen. For example, after the Census of 1910, the Congress said that there should be 435 members in the House of Representatives.

After the Census is taken, the total population of the United States is divided by the number fixed by the Congress. This shows how many people one Congressman should represent. When the population of the United States, as shown by the Census of 1960, was divided by 435, it showed that each Congressman should represent about 412,000 people.

The Constitution says that each State must be allowed at least one Congressman.

The legislature of each State decides whether all the voters of the State shall elect all the Congressmen from that State. The legislature may divide the State into districts and allow one Congressman for each district. In most States, the Congressmen are elected from districts. Citizens should know the name of their Congressman.

At times, when a State has been allowed another Congressman, the legislature has allowed the voters of the whole State to elect him. A member who is elected by the voters of the whole State is called a "Congressman at Large." Is there a Congressman at Large from your State?

TERM OF OFFICE

The Senators are elected for a term of six years. One-third of the Senators are elected every two years. Thus, at least two-thirds of the Senators always have had experience in the Senate. The Senate, therefore, is in a better position than the House to know the history of the laws. It is more likely to know why certain bills were not passed by the Congress.

The members of the House are elected for a term of two years. The term of every Congressman ends on the same day. If a member wishes to return to the House for another two years, he must be elected again. Many Congressmen have been so well liked by their people that they have been elected time and time again.

The Congressmen always have been elected by the people. They are generally elected from districts within the States. Since a Congressman represents a smaller number of people than a Senator, he usually knows the people of his district and their needs better than the Senator. For these reasons it is said that the House of Representatives is closer to the people than the Senate.

WHEN AND WHERE THE CONGRESS MEETS

All of the Congressmen and one-third of the Senators are elected every two years. Thus, the life of a Congress is two years. The Twentieth Amendment says that the Congress shall meet for its regular session at noon on

January 3 of each year. But the Congress, by law, may fix a different day.

A meeting of the Congress is called a "session." The word "session" means the length of time the Congress meets for the purpose of making laws. "Regular" means that the Constitution requires the meeting of the Congress.

The Congress meets in the Capitol in Washington, District of Columbia. There is a large room in the Capitol in which the House meets. There is another large room for the Senate. There is also a small room for the use of the President. The Senators and the Congressmen have their offices in buildings that are near the Capitol.

HOW THE SENATE AND HOUSE COMPARE IN AUTHORITY

The two Houses of the Congress have equal power in some matters. Each House may suggest that a law should be changed or that a certain bill should be passed. It can act for that purpose and vote on the suggested changes. Tax laws, however, must start in the House of Representatives.

Each House has some authority that it does not share with the other House. The Senate must approve every treaty that the President makes with a foreign nation before it becomes law. The President has authority to appoint officers to fill many important offices, but the Senate must agree. The Senate has authority to "try impeachments." This means the authority to determine whether some important officer of the Federal Government, who is accused by the House of Representatives of *treason, bribery,* or other high *crimes* and *misdemeanors,* should be removed from office.

In a presidential election, if no candidate for Vice President receives a majority of the votes of the electors, the Senate chooses the Vice President from the two highest candidates.

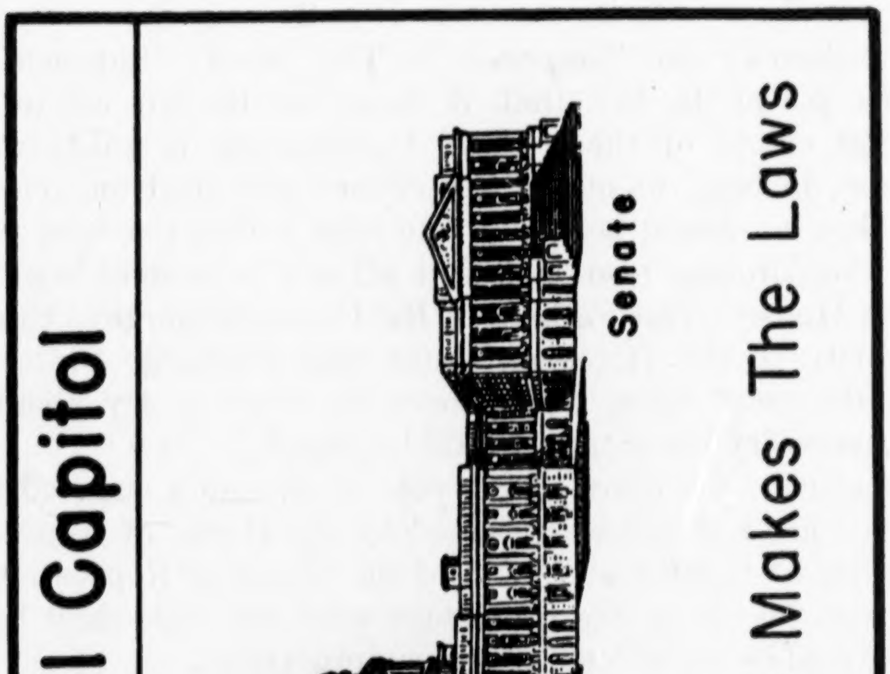


Figure 9
Our National Capitol

The House of Representatives has three powers that it does not share with the Senate. It is the only House that has authority to *"impeach."* The word "impeach" means power to say that it looks as though an important officer of the Federal Government is guilty of treason, bribery, or other high crimes and misdemeanors and that he should be brought to trial before the Senate. The Constitution also says that all tax laws shall begin in the House. The Fathers of the Constitution gave this authority to the House in order that the large States, with the most votes, would have the most to say about how necessary tax money should be raised.

Of course, the Senate may vote to change a suggested tax law after it has been passed by the House of Representatives. But the authority of the House of Representatives to decide in the first place what tax bills shall be considered by the Congress is very important.

In a Presidential election, if no candidate for President receives a majority of the votes of the electors, the House of Representatives chooses the President from among the three highest candidates.

"CHECKS AND BALANCES" IN OUR GOVERNMENT

We have just studied some of the important "checks and balances" in our Government. "Checks and balances" mean ways in which each of the three branches of the Federal Government can prevent one of the other two branches from acting too fast or from becoming too strong. The Senate can "check" the President in making treaties and in appointing officers.

The large States, with the most Congressmen, are "balanced" against the small States with equal votes in the Senate. No bill can become law unless the two Houses agree. Also, each House has some authority that it does not share with the other House.

The Congress can "check" the executive and judicial branches of the Government through its power of impeachment. Also, the Congress controls the amount of money allowed the Federal Government. The President can "check" the Congress through the use of his power of veto. But the Congress may pass a law, by the necessary two-thirds vote, over the veto of the President. The Federal courts may "check" the President and the Congress by saying that a law goes against the Constitution and cannot be enforced.

The "checks and balances" were written into the Constitution. They have proved to be important. They have kept the different branches from becoming too strong and from exercising authority that they do not have under the Constitution. You will learn more about them in later chapters.

THINGS TO DO

Questions to discuss in your study group:

1. Why did the Fathers of the Constitution decide that a bill must pass both Houses of the Congress before it can become a law?
2. Why is it important that we elect able persons to represent us in the Congress?
3. Explain what is meant by the "system of checks and balances." Give two examples of the way in which the Senate can "check" the President in his work. Give an example of the manner in which the President can "check" the Congress.

Choose the word, group of words or figure that will make each of the following a correct statement:

1. The chief work of the Congress is to—
   a. make the laws for the Nation.
   b. explain the laws.
   c. make treaties.

2. Members of the House of Representatives are called—
   - *a.* judges.
   - *b.* Congressmen.
   - *c.* Senators.

3. The Senators and Congressmen from my State are elected by the—
   - *a.* State legislature.
   - *b.* people.

4. The Constitution says that tax laws must start in the
   - *a.* Senate.
   - *b.* House of Representatives.

Complete each of the following:

1. Two qualifications of Senators are:
   a--
   b--

2. Two qualifications of Congressmen are:
   a--
   b--

3. One power that the House of Representatives does not share with the Senate is:
   ----

4. Two powers that the Senate does not share with the House are:
   a--
   b--

5. Each State elects -------- members to the Senate. A Senator must be not less than -------- years of age.

6. A Senator is elected to serve for -------- years. A Representative is elected to serve for -------- years.

CHAPTER XII

What Laws the Congress May Make and How They Are Made

> The very meaning of a free government is "in considering offices as public trusts, bestowed [given] for the good of the country, and not for the benefit of an individual or a party."
>
> —*John C. Calhoun.*

We remember that the Fathers of the Constitution delegated certain authority to the Federal Government. They listed the special kinds of authority which it may use. Much of this authority is, by the Constitution, delegated to the Congress. In the chapter before this one we explained how both Houses of the Congress are set up.

The Constitution lists the powers of the Congress. It also says that the Congress shall not do certain things. We shall now study the kind of laws which the Congress may make and how they are made.

THE AUTHORITY OF THE CONGRESS OVER MONEY AND TRADE

The Congress has several *financial* powers. Experience had proved that the Congress did not have enough of this kind of authority under the Articles of Confederation. The Congress is given power to *coin* money and to say what it shall be worth. A person or State is not free to coin money because the people delegated this power to the Congress.

Under its financial powers, the Congress organized and controls different systems of banks. It may ask the banks or the people to lend money to the Government. It may pass tax laws and force the people to pay their taxes. No money can be paid out by the Federal Government except as the Congress, by law, orders it to be done.

The Congress has important authority over trade—called *commerce*—among States and with foreign countries. It controls the railroad, ship, gas, electric, and pipe lines that cross State lines.

Thus, the Congress can control the new ways by which trade among the States is carried on. The authority of the Congress is not limited to the ways of trade that were known in 1789. For example, the Congress now controls telephone, radio, and television companies.

AUTHORITY OF THE CONGRESS OVER NATIONAL DEFENSE

The Congress has authority to make the country safe from any enemy. It has authority to raise and support an Army, Navy, and Air Force. It can declare war.

Most of the States keep trained men who are not in the regular Army for use in time of great need. The trained men are called the Militia. The Congress helps the States to organize the Militia and to arm them. But the Congress can call out any or all of the Militia of the States to help the President carry out the laws of the United States.

The Congress determines the size of the Army, the Navy, and the Air Force. It makes rules to govern them. It gives them money to spend but for only two years at a time. This is to keep them from becoming too strong.

AUTHORITY OF THE CONGRESS TO MAKE LAWS THAT SHOULD BE THE SAME IN ALL STATES

The Congress has authority over other matters on which the laws should be the same for all the people of the United States. It says how persons born outside the United States may become citizens. The Congress sets up post offices. It controls the handling of the mail.

The Congress makes and keeps the weights and measures the same for all the people. For example, a yard is thirty-six inches at every place in the United States because the Congress says that it must be so. This authority over weights and measures may not seem important. But the people would have trouble in carrying on trade if each State had a different standard for a pound, a quart, or a yard.

The seat of the Federal Government is located in the District of Columbia. Congress makes the most important laws which govern the people in the District of Columbia.

AUTHORITY NOT GIVEN IN EXPRESS TERMS, BUT SUGGESTED

The Fathers of the Constitution listed most of the authority of the Congress in clear terms. But they gave the Congress some general authority. The Congress can make all laws that are necessary and proper to carry out the powers that are delegated to the Federal Government. This is the implied power of the Congress. It has proved to be very important.

An example will help to explain what the implied authority means to the Congress. For example, the Constitution does not say in express words that the Federal Government can take private property for public use. But the Federal Government must have lands for public buildings—such as post offices. The lands are necessary. If the persons who own the lands will not sell them to the Federal Government, the Congress may take them by paying the fair market price.

KINDS OF LAWS THAT THE CONGRESS MAY NOT MAKE

The Fathers of the Constitution did more than list the authority of the Congress. They knew that lawmaking bodies in other countries had attempted to use authority that the people had not delegated. They wanted to make certain that our Federal Government would keep within its authority. So they listed, in the Constitution, many different kinds of authority that the Federal Government cannot use.

The Congress cannot tax exports—goods that are shipped to foreign countries. It cannot tax different persons at different rates in different States. It cannot prefer one State over another in trade laws. The Congress cannot spend money without telling what it is spent for. These limits on the authority of the Congress help to keep business free. They help to prevent the making of laws that are not fair.

In our study of the Bill of Rights we learned some of the limits on the authority of the Congress. There are others. It cannot pass laws to punish a person for a wrong that was not a crime at the time of the act. It cannot take away his right to be heard in court before a fair judge.

Every person charged with a crime can demand that he be taken before a judge and be told by what law he is kept in prison. The Congress cannot do away with this right except in time of very great danger. These limits on the authority of the Congress help us to enjoy our rights and our liberty.

THE OFFICERS IN THE CONGRESS

The Fathers of the Constitution knew that each House must have officers to keep its work in order. The Constitution says, therefore, that the Vice President of the United States shall be the President of the Senate. It also says that the House of Representatives shall choose one of its members to direct its meetings. He is called *the Speaker*. If the President and Vice President should die or be unable to act, he would become President. The Senate elects one of its members to take charge when the Vice President is absent.

Of course, the chief officer of each House must have help. He cannot do all of the work. Each House, therefore, selects a Clerk, a Secretary, and other officers. They are not members of the Congress. They do not vote in the Congress.

HOW A LAW STARTS ON ITS WAY THROUGH THE CONGRESS

The members of the Congress suggest many laws. The President often asks the Congress to pass certain laws. We can ask our Senator or Congressman to start a law that we want. He may write a "bill" along the lines that we suggest. When a suggested law is on its way through the Congress, it is called a "bill."

A Senator or Congressman starts a bill on its way by putting a copy of it into a box on the Clerk's desk. He may hand the bill to the chief officer of the House. When the bill reaches the Clerk's desk, it is given a title and number. This is called the "first reading" of the bill.

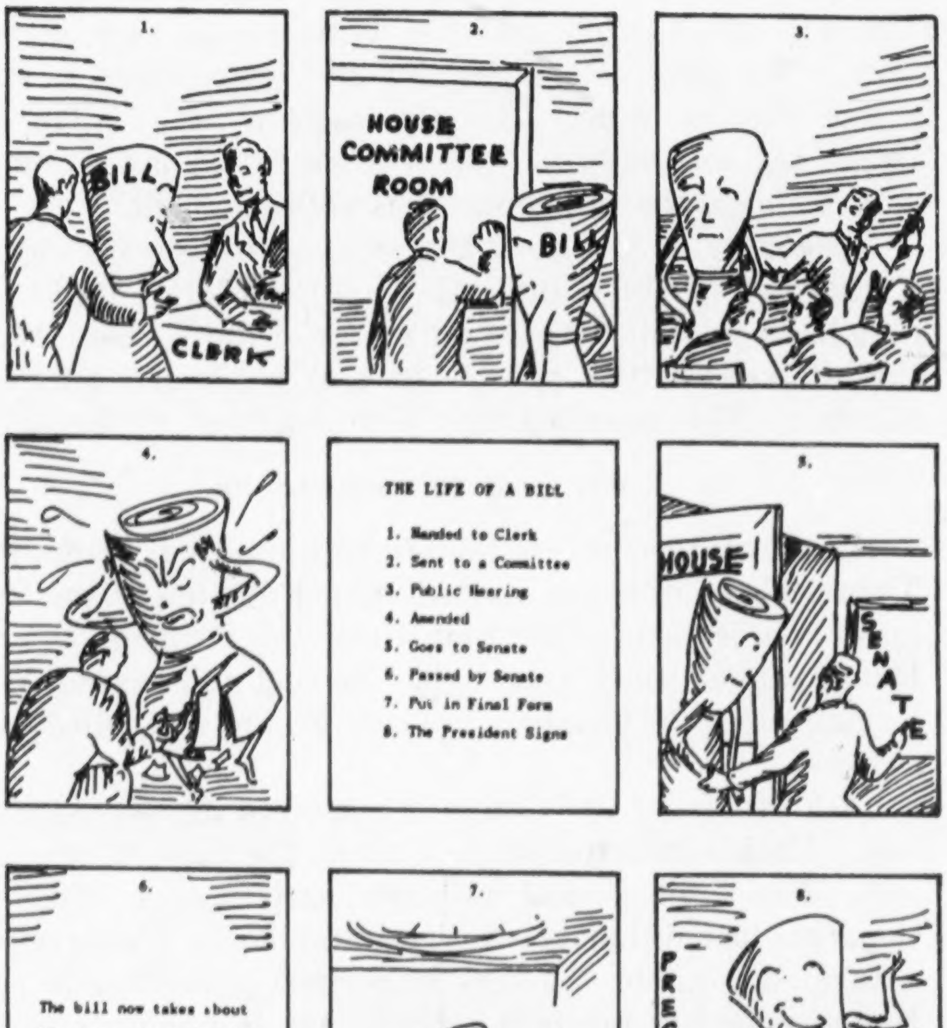
A BILL GOES TO A COMMITTEE

The Clerk then refers the bill to the proper committee. Thousands of bills are started at each session of the Congress. It is easy to see that all of the members in each House cannot study every bill. So each bill is studied by a small group of members. These groups are called committees.

Each House of the Congress appoints its own committees. Each committee studies all of the bills on one subject. The subjects deal with the matters over which the Congress has authority: Navy, taxes, banks, immigration, naturalization, etc. A very important committee in each House considers tax bills. Every tax bill coming before each House goes to its committee on this subject.

The committee may find that the suggested law is very necessary. The committee may ask persons interested in the bill to appear before it. These people tell why they are for or against the bill. The committee may find that there is no need for the suggested law.

The committee takes a vote. It may make no report. It may report that it does not approve the bill. In that case, usually no further action is taken.



THE LIFE OF A BILL

1. Handed to Clerk
2. Sent to a Committee
3. Public Hearing
4. Amended
5. Goes to Senate
6. Passed by Senate
7. Put in Final Form
8. The President Signs

The bill now takes about the same steps in the Senate that it took in the House.

Figure 10
How a Bill Becomes a Law

The majority of the committee members may decide that the bill should become a law. The committee then reports to its House that the bill should pass. But the committee may feel that changes should be made. It may write a new bill along the same lines and ask that the new bill be passed.

SECOND AND THIRD READINGS OF A BILL

After the committee reports in favor of the bill, it is read, sentence by sentence, by the Clerk to the House. This is called the "second reading" of the bill. At that time, the members can suggest ways to improve the bill.

The "third reading" of a bill is by title only. It is then put to a vote of the House. The Members of the House may vote "yes" or "no."

A BILL GOES TO THE OTHER HOUSE

After a bill passes one House, it goes through the same steps in the other House. If either House votes "no," that is the end of the bill. No bill can become a law unless it is passed in the same form by both Houses. If it passes both Houses, it is ready to be signed by the President of the United States.

If a bill is changed by the second House, it is sent back to the House in which it started. If the House does not agree to the change, the bill goes to the conference committee. This is a special committee of a few members from each House who study the particular bill. After the conference committee agrees on the bill, it goes back to both Houses for a vote. If it is approved by both Houses, it is ready for the President to sign. If the two Houses cannot agree, the bill is not passed.

THE APPROVED BILL GOES TO THE PRESIDENT

After the bill has been passed by both Houses of the Congress, it is sent to the President. If he approves, he signs it. The bill becomes a law.

If the President does not approve, he can refuse to sign the bill. He gives his reasons and sends it back to the House in which it started. This is called a "veto."

The President may veto an important bill. The Congress can pass the bill against the wishes of the President. But the vetoed bill must pass both Houses of the Congress by a two-thirds majority in order to become a law over the veto of the President.

The President may not wish to sign or veto a bill. If the Congress is in session, he has ten days after the bill reaches him within which to act. If the ten days, not counting Sundays, pass without a veto by the President, the bill becomes a law.

When a session of the Congress ends, the President has ten days within which to sign a bill. If he does not sign it, the bill does not become a law. This is called a "pocket veto."

QUALITY OF OUR LAWS

We hold our representatives responsible for what they do in the Congress. If we are to have good laws, we must elect wise men to represent us in the Congress. We should tell our representatives what laws we need. We should also tell them what laws we do not want. The people have the final authority and they should use it at all times.

THINGS TO DO

Questions to discuss in your study group:

1. What is meant by the statement that "public office is a public trust"?
2. Why does the Congress do much of its work through committees?
3. Is it important for the members of the Congress to keep in touch with the needs of the people? Why or why not? Name some of the ways by which the people can make their wants known to the members of the Congress.

Complete each of the following:

1. Three of the financial powers of the Congress are:

a. ------------------------------------

b. ------------------------------------

c. ------------------------------------

2. Under its power to regulate commerce the Congress may control:

a. ------------------------------------

b. ------------------------------------

3. Three subjects on which the Congress may pass laws that should be the same for all of the people of the United States are:

a. ------------------------------------

b. ------------------------------------

c. ------------------------------------

4. An example of authority that is not given to the Congress in clear terms but that is suggested by the Constitution is:

----

5. Two kinds of laws that the Constitution says that the Congress shall not pass are:

a. ------------------------------------

b. ------------------------------------

6. The Senate and the House of Representatives have committees on such important matters as:

a. ------------------------------------

b. ------------------------------------

c. ------------------------------------

7. Two things that a committee may do with a bill that has been referred to it are:

a. ------------------------------------

b. ------------------------------------

8. Two official actions that the President may take with regard to a bill that has been passed by both Houses of the Congress, when he receives it, are:

a. ------------------------------------

b. ------------------------------------

CHAPTER XIII

The President of the United States

> "To obey the law is to support democracy. If every man thinks every law must suit him in order that he shall obey it, he does not support democracy but destroys it. The *basis* of good government lies in the fact that the people are willing to obey the law as they have determined it to be."
>
> —*William Howard Taft.*

The people do not always obey a law just because it has been passed by the Congress. There must be officers to enforce the laws. The Fathers of the Constitution had learned this fact by their experience with the Articles of Confederation. When they came to write the Constitution they agreed that the Federal Government should have one branch to enforce the laws. We shall now study that branch of our Federal Government to learn how it does its work.

THE PRESIDENT OF THE UNITED STATES

Let us look at the first sentence of Article II of the Constitution. It says that the President shall have authority to carry out the laws of the Nation. It does not give this authority to any other officer. The whole authority is given to the President of the United States.

The Constitution says that there shall be a Vice President. He must have the same qualifications as the President. The Constitution makes him the President of the Senate. He can vote when there is a tie vote in the Senate. If the President quits, dies, or is not able to use the authority of his office, the Vice President takes over the office.

THE PRESIDENT

Term of office—4 years.

Salary—$200,000.

Election—November of every fourth year.

Inauguration—January 20 following election.

Elected—By the people through the election of "electors."

Qualifications—Natural-born citizen at least 35 years old and at least 14 years a resident of the United States.

Order in which other officers may become President —

1. Vice President.
2. Speaker of the House of Representatives.
3. President *pro tempore* of the Senate.
4. Secretary of State.
5. Secretary of the Treasury.
6. Secretary of Defense.
7. Attorney General.
8. Secretary of the Interior.
9. Secretary of Agriculture.
10. Secretary of Commerce.
11. Secretary of Labor.
12. Secretary of Health, Education, and Welfare.
13. Secretary of Housing and Urban Development.
14. Secretary of Transportation.

Chief power and duty—To enforce the Constitution, the laws made by the Congress, and treaties.

Other powers—

1. To veto bills.
2. To suggest bills to the Congress.
3. To call special sessions of the Congress.
4. To deliver messages to the Congress.
5. To appoint judges of Federal Courts.
6. To appoint representatives to foreign countries.
7. To appoint Department heads and other high officials.
8. To pardon.
9. To carry on official business with foreign nations.
10. To be Commander in Chief of the Armed Forces.

Figure 11

The President of the United States

The President is elected for a term of four years. The Constitution says that he must have three qualifications. First: He must be a natural-born citizen of the United States. This means that a naturalized citizen cannot be President. Second: He must be at least thirty-five years of age when he takes office. Third: He must, at the time he takes office, have lived within the United States for at least fourteen years. He is limited to two terms in office.

HOW A PRESIDENT IS NOMINATED

The Constitution tells how we are supposed to choose our President. We still follow that plan. But we also use the party system. No man can hope to be elected President unless he is nominated by a political party.

During the summer of the year in which a President is to be elected, each party holds a national convention in one of the large cities. The members of the party in each State send delegates to the convention.

After the delegates agree upon a party platform, they are ready to select the party's candidate for President. The names of the States are called. As each State is called, any delegate from that State may rise and place a name before the convention. After every delegate has had a chance to suggest a name, a vote is taken. In this way, the party nominates its candidate for President. A candidate for Vice President is nominated in the same way.

THE PEOPLE ELECT "ELECTORS" WHO ELECT THE PRESIDENT

The people do not vote directly for the President. The Constitution says that each State shall elect a number of persons equal to the combined number of its Senators and Congressmen. These persons are called "electors." Each party in each State nominates persons for "electors" from that State. The "electors" nominated by a party promise to vote for the candidate who was nominated by the party at its national convention. When we come to choose a President in November of every fourth year, we vote for those "electors" who have agreed to vote for our candidate for President.

The "electors" who receive the most votes in our State are elected. They meet in the State capital in December. They vote for the candidates nominated by their party. They make several copies of the result of their vote. They send one copy to the chief officer of the Senate at Washington, D.C. The "electors" in the other States do the same thing on the same day.

In January, when the Congress meets, the two Houses gather to count the votes of the "electors." The candidate who receives a majority of the total votes of the "electors" in all of the States is elected President. If no candidate receives a majority, the House of Representatives elects the President from among the three candidates who received the most votes.

THE PRESIDENT GOES INTO OFFICE

The people accept the vote of the majority of the "electors." We do not use force to keep a man from an office to which he has been elected. Before we vote, we may quarrel over who is the best man for President or who the "electors" should be. But when the majority vote is made known, the man elected is to be the President of the whole people.

Soon after the Congress counts the votes of the "electors," the candidate who is elected becomes President. He takes the oath that the Constitution requires him to take. After he takes the oath, the President makes a speech. He tells what he would like to see done during the next four years.

Many people from all parts of the country go to Washington to see the President take his oath and to hear his speech. The people who do not hear the speech in Washington or on the radio or television can read it in the newspapers.

GENERAL AUTHORITY OF THE PRESIDENT

The President's chief work is to enforce the laws and treaties of the Nation. The Constitution gives the President this authority in clear terms. It says in Article II that "the executive power shall be vested in [belong to] a President of the United States." His first job is to see that the people obey the laws. He is the head of the Army, Navy, and Air Force. He can call the armed forces of the Nation, if it becomes necessary, to help him do his work.

THE PRESIDENT LEADS THE CONGRESS

The Fathers of the Constitution did not intend that the President's influence in the Congress should be very great. However, the President is elected by the whole Nation. He is regarded as the head of his party and he is the head of the Nation. He can send a message to the Congress or address the people over the radio or on television. The whole country looks to him for what the Congress does or does not do.

When we elect a President, we think about the laws that have been passed. We think of whether these laws have served the needs of the Nation. We hold the President, as the leader of his party, responsible for what his party has or has not done. We expect him to lead the Congress. That is where the President gets his real authority to lead the Congress. It is not given to him in clear words by the Constitution.

LAWMAKING AUTHORITY OF THE PRESIDENT GIVEN BY CONSTITUTION

We have already learned that when bills are passed by the Congress, they are sent to the President. He may sign or refuse to sign. But at times he tells people in the

Congress that he will veto a certain bill. If they respect his wishes, or if there are not enough votes to pass the bill over his veto, they may decide not to pass the bill.

The authority of the President to veto or to promise to veto is a part of the "system of checks and balances." Thus, the authority of the Congress to make laws is not complete. The President may act to end a suggested law before or after it is passed by the Congress.

The President represents the whole Nation. He should know the needs of all the people. The Constitution says that each year, when the Congress first meets, the President must give the Congress "information on the state (condition) of the Union." He sends a message to the Congress. In this message, he tells the needs of the people and how we are getting along with other nations. He may suggest certain laws to the Congress.

The President may call a special session of the Congress to consider some special trouble. One summer all of the people who worked for the railroads said that they were going to quit. The railroad companies would not raise their pay. The Congress was not in session. The President called the Congress together. He asked that a certain law be passed. This was done. The trouble was settled without a strike.

The President has other authority in lawmaking that is less direct. The members of the Congress may ask the President to advise them as to what laws the Congress should pass. Often the President sends for his friends in the Congress. He explains his views on bills that are before the Congress. Also, he can send a special message to the Congress at any time that he desires.

AUTHORITY OF THE PRESIDENT TO APPOINT OFFICERS

The President has authority to appoint all officers of the United States whose positions are not given to them by the Constitution. But this authority is not full and complete. The Constitution says that the Senate must agree. This gives the Senate power to "check" the action of the President. It is a part of the "system of checks and balances."

The President must have help in filling the thousands of positions in the Federal Government. If the position is one in which a person must work well with the President, the Senate will generally approve. But most of the offices to be filled are not so important.

In sending nominations to fill Federal offices in a particular State, the President may observe "Senatorial Courtesy." This means talking with the Senators from that State, especially if they are of the same party as the President, before sending the nominations to the Senate.

AUTHORITY OF THE PRESIDENT TO DEAL WITH FOREIGN COUNTRIES

The President has authority to protect the interests of the United States and its citizens in foreign countries. He speaks for the Nation. Neither the people, the States, nor the Congress has any authority in the matter. Of course, they may advise the President. But he does not have to take their advice.

The United States has many interests in common with other nations. The President can agree with other nations by treaty to do or not to do certain things. He can agree to do them in a special way.

The President sends representatives to foreign countries. They guard the interests of American citizens who live, travel, or trade there. If it becomes necessary, the President can send the Army, the Navy, and the Air Force to any part of the world to protect those interests. He also receives the representatives of foreign countries who are sent to the United States. He can say whether we will deal with a new nation or with a new government in an old country.

AUTHORITY OF THE PRESIDENT TO "CHECK" THE FEDERAL COURTS

The Fathers of the Constitution had learned that at times some judges are not fair. They had seen persons sent to prison for things they had not done. They had seen other persons sent to prison for longer terms than they deserved. Although they knew that this would not happen very often, the President was given the power to correct any such injustices that might arise.

The President can also order a delay in carrying out the punishment ordered by any Federal court of a person for breaking the laws of the United States. He can also free a person convicted under a Federal law by giving him a pardon. A pardon is an official order forgiving a crime.

The President cannot pardon a lawbreaker who has been sentenced by a State court. Nor can he give a pardon to an officer who has been "impeached" and convicted. To do so would destroy one of the important "checks and balances" that the Congress has over the other two branches of the Federal Government.

THINGS TO DO

Would you answer "yes" or "no" to each of the following questions?

Yes No
— — 1. Is it the first duty of the President to help make the laws of the nation?
— — 2. Would the Vice President become the President if the President should die?
— — 3. Are the President and the Vice President elected by a direct vote of the people?
— — 4. Does the Constitution fix the term of office of the President?
— — 5. Can a naturalized citizen of the United States be President?
— — 6. Can a person hope to be elected President unless his name is put forward by a political party?

Yes No

— — 7. Does each political party choose the man it will put forward for President by a direct vote of the members of the party?

— — 8. Does the Constitution command the "electors" to vote for the person put forward by their political party?

— — 9. Is a person elected President if he receives a majority of the votes of the "electors"?

— — 10. Does the Constitution command the President to take an oath?

— — 11. Does the President have authority to call special sessions of the Congress?

— — 12. Does the Constitution give the President authority to lead the Congress?

— — 13. Can the President refuse to sign a bill that has been passed by both Houses of the Congress?

— — 14. Can the Congress pass a law over the veto of the President?

— — 15. Do the members of the Congress ever ask the President to advise them on what laws should be passed?

— — 16. Does the Constitution give the President authority to appoint the officers of each House of the Congress?

— — 17. Does "Senatorial Courtesy" mean the respect that the Senators pay to the President?

— — 18. Must the President share with the House of Representatives his authority to make treaties?

— — 19. Can the President pardon a person who has broken a State law?

— — 20. Must a person believe that a law is wise before he is bound to obey it?

— — 21. Can the President serve more than two terms in office?

Chapter XIV

The President's Cabinet

> "The Nation's greatness [success] lies in men, not acres."
>
> —*Abraham Lincoln.*

The President must have help. He must see that thousands of laws are enforced. He cannot do the job by himself.

Many important people want to see the President about different matters. But he does not have time to see all of them. He receives thousands of letters every week. They must be answered. The representatives of the President in foreign countries send in reports every month. He must know what is in them. We may well ask: "Who helps the President?"

THE CABINET

The Fathers of the Constitution did not say in so many words that the President should have a Cabinet to help him. But they understood that there would be a Cabinet. The First Cabinet had four members.

The Nation has grown. The needs of the people have changed. Thus, the Congress has set up new Departments to advise and to help the President. There are now 11 Executive Departments. Each is controlled by a Secretary. These Secretaries make up the Cabinet or "official family."

If the President, Vice President, Speaker of the House of Representatives, and President *pro tempore* of the Senate should die, one of the Cabinet Members would become President. The law says that the Secretaries shall become President, if constitutionally qualified, in the order in which they are named in the law.*

The members of the Cabinet are appointed by the President and the Senate usually approves the President's choice of members of his Cabinet. He has to work with them from day to day. He knows best the men that he wants for the positions.

The Cabinet meets with the President at his request, as often as necessary. The President often sees one member alone in order that they may talk over some special subject.

Each Agency in the Cabinet has many people who help to carry on its work. We shall study the work of the 11 Departments.

THE DEPARTMENT OF STATE

If any one Department is more important than another, it is the Department of State. It is one of the old Departments. The Secretary of State is its Head. Under the law relating to succession to the Presidency if the President should die, the Secretary of State would be the first of the members of the Cabinet who might become President.

The Department of State is the long arm of the Government. It has hundreds of representatives in foreign countries. It is in charge of the foreign interests of the United States. It could well be called the "Department of Foreign Relations."

One of its chief duties is to keep the United States on good terms with other nations. Its representatives prepare reports to the President. They often help in making treaties. Representatives in foreign countries study and report on trade conditions. One of their jobs is to help our businessmen. But, under the law, they have other duties. They meet and talk with citizens o

---

*See Figure 11 on page 105.

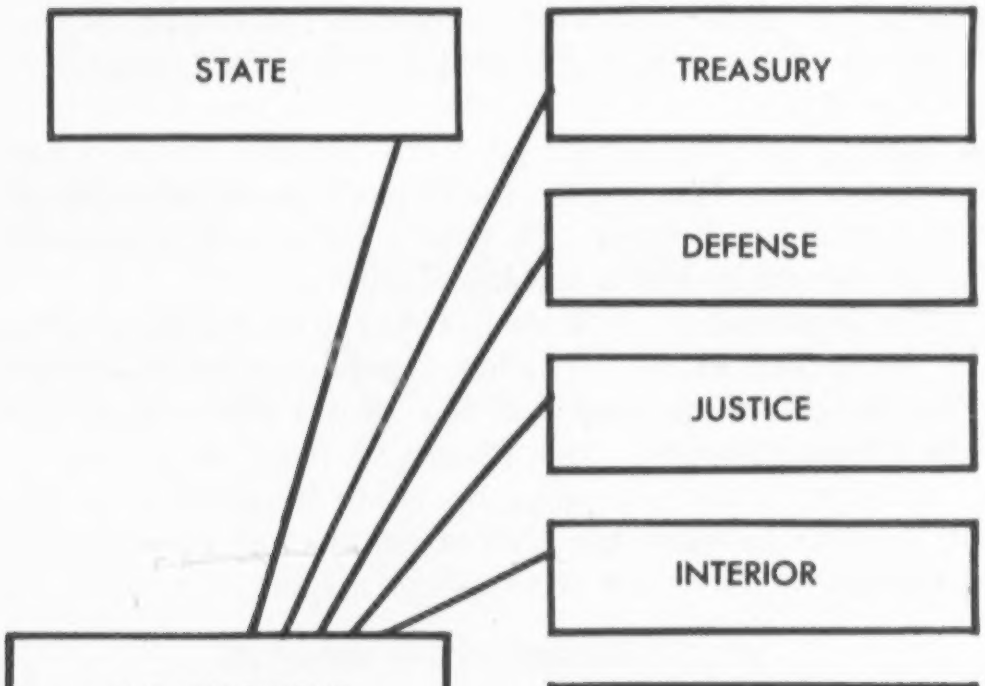

STATE
TREASURY
DEFENSE
JUSTICE
INTERIOR
THE PRESIDENT
The President appoints the heads of the Departments of:
AGRICULTURE
COMMERCE
LABOR
HEALTH, EDUCATION, AND WELFARE
TRANSPORTATION
HOUSING AND URBAN DEVELOPMENT

Figure 12

The President and the Executive Departments Having Cabinet Rank

foreign countries who want to come to the United States. They give them the right kinds of permits (visas). A citizen of the United States who wants to live or travel in a foreign country must first learn whether the Government objects. He must tell the Department of State where and why he wants to go. He must get a permit or *passport* before he can go into a foreign country.

The Department of State has charge of the Great Seal of the United States. The law commands that the Great Seal be placed on many of the President's orders and other public papers. (See Figure 17, page 165.)

In addition to these tasks, the State Department prints all treaties between the United States and foreign governments, and certain other official papers.

THE DEPARTMENT OF THE TREASURY

This Department is the largest bank and *bookkeeper* in the world. It looks after the money matters of the Federal Government. It collects taxes. It *borrows* money as directed by the Congress. It is in charge of the money of the United States. It gives directions for paying all of the bills and debts of the Nation. It coins metal money and prints paper money, bonds, and stamps. It keeps a record of all of them.

There are special officers in this Department who look for people who coin or print money (counterfeiters). It helps to prevent goods, on which the taxes have not been paid, from being brought secretly into this country.

THE DEPARTMENT OF DEFENSE

The Department of Defense is headed by the Secretary of Defense, who is a member of the President's Cabinet. The Department of Defense is made up of the Department of the Army, the Department of the Navy, and the Department of the Air Force. It is responsible for all matters having to do with the national defense.

Each of the three Departments is headed by a Secretary who is responsible for matters dealing with the national security in his own field. They get and train officers and enlisted personnel; provide necessary equipment; and supervise the building and maintenance of forts, camps, naval bases and yards, warships, airplanes and bases, and the care and improvement of rivers, harbors, and canals.

THE DEPARTMENT OF JUSTICE

This Department helps the President to enforce the laws against crime. It protects the rights of the people of the United States under the law. The Immigration and Naturalization Service is in this Department.

The Attorney General is the head of the Department of Justice. He directs the work of its officers before the Federal Courts. He can appear before any of these courts to protect any interest of the people of the United States that may come before the court. The prisons of the Federal Government are under his control. He advises the President and the other Department Heads when they ask for it. But the most important work of this Department is to help punish people who break the laws of the United States.

THE DEPARTMENT OF THE INTERIOR

The Department of the Interior controls the public lands of the United States, as directed by law. It studies the supply of the *products* of the earth, such as oil, coal, and natural gas. It studies new ways to keep them for future use. This Department also studies the causes of accidents in mines. It plans ways to prevent the waste of our forests and minerals.

The Department of the Interior plans ways by which water may be brought from the mountains and rivers to dry lands of the Nation. It enforces the laws of the Congress that control the Nation's fish and wild animals.

THE DEPARTMENT OF AGRICULTURE

One of the purposes of the Department of Agriculture is to help the farmers raise good crops and to sell them at a profit.

The Department of Agriculture also helps the farmers in many other ways. It shows them how to build up the soil by planting different kinds of crops. It helps farmers to develop better cows, sheep, pigs, and chickens. This work helps to protect the meat, milk, egg, and butter supply of the Nation. This Department gives the farmers information on the supply and price of farm products.

THE DEPARTMENT OF COMMERCE

The purpose of this Department is to help the businessmen of the Nation. Every ten years it takes a census. Each year it collects figures on how many persons are born, die, or marry. These figures help businessmen to determine the possible markets for their products.

Each month it collects and prints information on the amount of goods produced, ordered, shipped, or on hand, in different lines of trade. This information helps businessmen to know the condition of their markets. Also, this Department has special agents who advise what goods made in this country can be sold in foreign countries.

This Department is in charge of the official standards of weights and measures. It works with other branches of the Government and with businessmen to develop better standards. A businessman may order goods and materials by grade and number without listing in complete form the quality of goods desired.

THE DEPARTMENT OF LABOR

The Department of Labor looks after the interests of wage earners. It studies labor conditions in factories, mills, mines, stores and offices. It tries to improve those conditions. It tries to prevent strikes.

The Department of Labor sets the standards of hours, pay, and conditions of work under which many different kinds of materials are made for the Government. The Congress has said that no goods shall be bought from a plant unless it meets standards laid down by the Secretary of Labor. In this and other ways the Department tries to help the wage earners of the Nation.

THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

This Department promotes the general welfare of the Nation by providing, among other things, a Public Health Service to control and study diseases. It carries out the various Social Security Programs throughout the United States. It helps to improve public education. The Department, through its Food and Drug Administration, insures the purity and quality of our food, drugs, and cosmetics.

THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

This Department is concerned with housing and urban development, including the encouragement of private homebuilding and mortgage lending, and the furnishing of information to aid State, county, and other local governments in developing solutions to community development problems.

THE DEPARTMENT OF TRANSPORTATION

This Department is concerned with mass transportation and with finding new ways of making both public and private transportation faster, cheaper, and safer. The Department supports and promotes research and development in the field of transportation, provides general leadership in identifying and solving transportation problems, and encourages cooperation with Federal, State, and local governments, labor, *carriers,* and other interested parties in establishing transportation policies which will serve the needs of the public, private industry, labor, and national defense.

THINGS TO DO

***Complete each of the following*:**

1. The group made up of the heads of the 11 Executive Departments is known as the President's ....

2. The heads of the Executive Departments are appointed by the .... and approved by the ....

3. The Department that collects taxes of the Federal Government is the Department of the ....

4. The Attorney General of the United States is the head of the .... of ....

5. The newest Cabinet officer is the Secretary of ....

6. One of the services furnished to the people by the Department of State is:

....

7. One of the services furnished to the people by the Department of the Treasury is:

....

8. One of the services furnished to the people by the Department of Defense is:

....

9. One of the services furnished to the people by the Department of Justice is:

....

10. One of the services furnished to the people by the Department of the Interior is:

....

11. One service furnished to the people by the Department of Agriculture is:

....

12. One service furnished to the people by the Department of Commerce is:

....

13. One service furnished to the people by the Department of Labor is:

----

14. One service furnished to the people by the Department of Health, Education, and Welfare is:

----

15. One service furnished to the people by the Department of Housing and Urban Development is:

----

16. One service furnished to the people by the Department of Transportation is:

CHAPTER XV

The Federal Courts and Their Work

> "There is no liberty if the power to judge be not separated" from the powers to make and to carry out the laws.
>
> —*Alexander Hamilton.*

We have studied two branches of the Federal Government. The Congress makes the laws. It is the legislative branch. It is made up of a Senate and a House of Representatives. The President enforces the laws of the United States. He is the head of the executive branch. He has a Cabinet of 11 Department Heads who help him with his work.

The meaning of a law is not always clear. It is not always clear what the Constitution or a treaty means. Who should furnish the answer? Should those who make and carry out the laws be permitted to say what they mean? That was done under the Articles of Confederation. It did not work well. A third branch was set up in the Federal Government to do this work. It is called the judicial branch.

THE NEED FOR THE FEDERAL COURTS

The Fathers of the Constitution had seen the need for Federal courts to settle our quarrels with foreign nations under treaties. Also, there had been quarrels among the States. Courts were needed to settle these quarrels according to fair laws.

There was still another important need that the Fathers of the Constitution felt had to be met. By the Constitution the people limited the authority of the Federal Government and of the States. The Constitution is the basic law of our Nation. Thus, Federal courts were needed to help keep the Federal Government and the States within the limits of their authority. Federal courts were also needed to help build a strong Federal Government. Questions as to the meaning of the Constitution, laws, and treaties of the United States were certain to spring up. If these questions were left to the State courts, then courts in different States might decide the same question in different ways. This had happened under the Articles of Confederation. The Fathers of the Constitution decided that it should not happen under the new Constitution. They said that there should be a system of Federal courts to decide such questions.

THE SUPREME COURT OF THE UNITED STATES

The Supreme Court of the United States is named in the Constitution. It can be done away with only by an amendment to the Constitution. When it has decided what the Constitution, treaties, or laws of the United States mean, there is no other court to which the matter may be taken. It has the last word. We must accept the answer of the Supreme Court. That is the way we do things in our republic.

The Congress has some control over the Supreme Court. The Congress decides the number of judges or justices. It fixes their pay. No judge can be appointed by the President unless the Senate agrees. The Constitution names certain kinds of cases that must begin and end in the Supreme Court. Article III of the Constitution sets out the authority of the Federal courts. The Congress can, within those limits of authority, generally decide what cases may come before the Supreme Court. But the Congress cannot change the authority given to the Supreme Court by the Constitution.

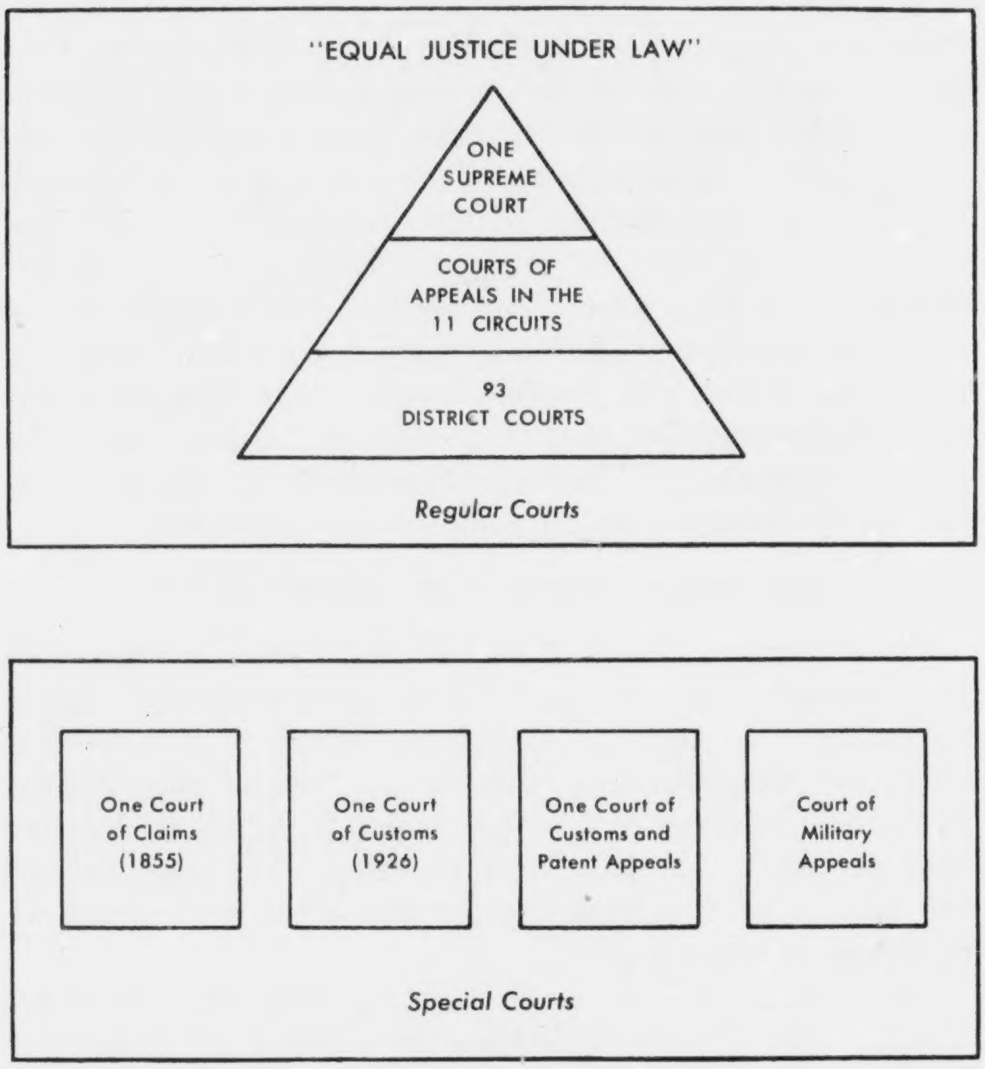

"EQUAL JUSTICE UNDER LAW"
ONE SUPREME COURT
COURTS OF APPEALS IN THE 11 CIRCUITS
93 DISTRICT COURTS
Regular Courts
One Court of Claims (1855)
One Court of Customs (1926)
One Court of Customs and Patent Appeals
Court of Military Appeals
Special Courts

Figure 13

Our Federal Courts

OTHER FEDERAL COURTS

The Fathers of the Constitution expected the country to grow. They knew that changes would give rise to many new questions. They said that there should be one Supreme Court. Then they gave the Congress authority to set up other courts, to fix the number of judges on each court, and to decide the ways of handling court business.

The Congress has established other courts which are under the Supreme Court. These courts help to keep the work of the Supreme Court from becoming too heavy. They help to end cases in a quick way and let the Supreme Court decide only important ones.

The Congress has divided the United States into eleven large districts or circuits. In each circuit, the Congress set up a court of appeals which is just under the Supreme Court. Just below the court of appeals in each circuit there are United States district courts. The Congress decides how many judges there will be on the courts of appeals and on the district courts.

Most of the cases that come into the Federal courts are first tried in the district courts. In general, a court of appeals hears only cases that are taken to it from the district courts in its circuit. It is the last court in which most cases from the district courts are heard. But the Congress by law permits certain cases to be taken from the courts of appeals to the United States Supreme Court.

SPECIAL FEDERAL COURTS

All of the courts mentioned so far were set up by the Congress under Article III of the Constitution. We know, however, that the Congress can pass laws that are necessary and proper in order to carry out the powers that are given to the Federal Government. The Congress has set up a few special courts in order to help carry out its authority.

For many years, persons who wanted to be paid for damage claims against the United States had to present their claims to the Congress. They had to appear before its committees and prove their claims. There were many claims that took a great deal of time of the Congress. Also, it was not easy for the Senators and the Congressmen to turn down their friends. For these reasons the Congress set up a special Court of Claims in 1855. This court now examines these claims against the United States. It decides which claims should be paid by the Congress.

There are other special courts. We remember that the Congress has power to levy taxes on incomes and on goods brought into the United States from foreign countries. Suppose that a person feels that the tax on his income or his goods is too great. He may question the tax on his income by taking his case to the Tax Court of the United States. He may question the tax on his goods by taking his case to the United States Customs Court, which the Congress set up in 1926.

If the person does not like the way the Customs Court decides his case, he can take it to the United States Court of Customs and *Patent* Appeals. It also hears the claim of any person who has *invented* something and who feels that the Department of Commerce was wrong in refusing to give him a patent. The Congress permits a few cases, within narrow limits, to be taken from the Court of Customs and Patent Appeals to the Supreme Court of the United States. But there are not very many of these cases.

THE JUDGES OF OUR FEDERAL COURTS

The Fathers of the Constitution did not want the judges of the Federal courts to fear anyone. They wanted the Federal courts to be free from the influence of the people, the Congress, and the President. They wanted the judges to be fair. The judges must take an oath that they will do justice "without respect to persons, and do equal right to the poor and to the rich."

The judges of the Federal courts are appointed by the President but the Senate must approve. In general, they are chosen because they know the law, have had experience, and are able to judge well. They hold office for life if they do good work. But if one of them commits a crime while in office, he may be impeached and removed from office upon conviction.

The Congress decides the amount of pay that the judges receive. But the authority of the Congress to control their pay does not give the Congress power to control their votes when they decide cases.

The Constitution says that the pay of the judges of the Federal courts shall not be *reduced* while they are in office. This was written into the Constitution for a special reason. The Fathers of the Constitution wanted to make certain that the judges would be free from control by the President and the Congress.

Since 1869 the Supreme Court of the United States has had a Chief Justice and eight Associate Justices. The Chief Justice is in charge of the Court. When the Court hears a case, all of the justices sit as a group, unless excused. A case is decided by a majority vote of those justices who sat to hear the case.

THE AUTHORITY OF THE FEDERAL COURTS

We have already learned that the Congress and the President have only delegated authority. The same is true of the Federal courts. Their authority is, in general, set out in Article III of the Constitution. This authority over cases is called a court's "jurisdiction." You can find the jurisdiction of the Federal courts in Article III.

Some cases go before the Federal courts because of the subject matter of the cases. If we should break into a store, for example, our case would be tried in a State court because we have broken a State law. But if we should break into a post office, we have broken a Federal law. We would be tried in a Federal court. If the meaning of the Constitution, treaties, or laws of the United States is questioned in a case, it can be tried in the Federal courts. The same is true of a case that grows out of a quarrel about American ships at sea.

Other cases go before the Federal courts because of the nature of the parties. The Federal courts try cases when the United States is a party, or when the cases are between different States. They have jurisdiction of cases between citizens of different States or between citizens and aliens.

THE FEDERAL COURTS HELP TO DEVELOP THE CONSTITUTION

The Federal courts have explained many parts of the Constitution. They have helped the Congress and the President to know what they can or cannot do. In the early days, the Federal Government was not strong. Some people tried to make it weak. But the Federal courts believed that the Federal Government should have the greatest amount of authority possible. They decided cases in ways that helped to make the Nation strong.

The Supreme Court can hear cases from the State courts when the Constitution, treaties, and laws of the United States are questioned. Time and time again, the Supreme Court has not agreed with the State courts. The meaning given to the Constitution, treaties, and laws of the United States by the Supreme Court must be accepted by the State courts.

The Federal courts have authority to decide whether a State law or a law of the Congress goes against the Constitution. They can say, in cases before them, whether the President or the Congress has obeyed the Constitution.

THE PEOPLE AND THE FEDERAL COURTS

The chief purpose of the Federal courts is to set up a fair way by which the people can settle their quarrels without the use of force. The courts should give equal justice to all under the law. The judges should be fair. Everything possible has been done to make them fair. In a democracy, it is very important that the people have faith in their courts. Many of the rights of the people are set out in the Constitution. We have studied some of these rights. If the Federal courts find that a law of a State or of the Congress goes against the rights of the people, the courts can refuse to let the law be carried out. In other words, the Federal courts stand between the people and their lawmakers. When a law goes against the will of the people, as written in the Constitution, the Federal courts follow the Constitution in deciding law cases.

It is the duty of the Federal courts to help punish those who break the laws. They not only guard the rights of the people against their elected representatives, but they guard the rights of the Nation as expressed in the Constitution and in the laws of the Congress.

We may not like the laws. The lawmakers cannot expect the people to agree with them at all times. But it is our duty to obey the laws as explained by the courts. If we do not like the meaning that the courts give to the Constitution or to the laws, we can always change them. But we must do it in the way laid down by the Constitution. Until the change is made, we are expected to obey the laws as they are explained by the courts.

THINGS TO DO

Choose the word or group of words that will make each of the following a correct statement:

1. The purpose of the Federal courts is to—
    - *a.* explain the laws.
    - *b.* make the laws.
    - *c.* carry out the laws.
2. The judges of the Federal courts hold office—
    - *a.* for five years.
    - *b.* for life if they obey the laws.
    - *c.* for twenty years.
3. The one court that cannot be put to an end except by an amendment to the Constitution of the United States is the—
    - *a.* Court of Claims.
    - *b.* Supreme Court of the United States.
    - *c.* United States Customs Court.
4. Under the Articles of Confederation, there were how many Federal courts—
    - *a.* none.
    - *b.* one.
    - *c.* two.
5. The number of judges on each of the Federal courts is fixed by—
    - *a.* the Congress.
    - *b.* the President.
6. Most of the cases that come before the Federal courts are first tried in the—
    - *a.* courts of appeals.
    - *b.* United States district courts.
    - *c.* United States Customs Court.
7. Some special Federal courts are the -------------- and --------------.
    - *a.* Court of Claims.
    - *b.* courts of appeals.
    - *c.* Court of Customs and Patent Appeals.

8. The Fathers of the Constitution wanted the judges of the Federal courts to be free from the control of—
    - *a.* the Congress.
    - *b.* the newspapers.
9. Cases go before the Federal courts because of the—
    - *a.* subject matter of the cases.
    - *b.* sex of the parties.
10. When a law of the Congress goes against the Constitution, the Federal courts—
    - *a.* refuse to let the law be carried out.
    - *b.* send the law back to the Congress to be changed.
    - *c.* ask the President to veto the law.

CHAPTER XVI

The Purposes and Organization of State Governments

> "A State can do whatever it sees fit to do unless it is restrained [limited] by some express prohibition in the Constitution of the United States or of the State."
> —*Oliver Wendell Holmes, Jr.*

The constitutions of the first thirteen States were older than the Constitution of the United States. We remember that the people did not want to delegate too much authority to the Federal Government. The people feared that the Federal Government might become strong and try to use the authority of the States. Thus the Constitution does not take from the States very many rights that the State constitutions claimed for them.

The Constitution of the United States guarantees to each State a republican form of government. It tells the States not to pass laws that go against the Constitution, laws, and treaties of the United States. Many of the things that the States cannot do are listed in Article I, section 9, of the Constitution. We have studied some of them.

WHAT WE FIND IN STATE CONSTITUTIONS

The Constitution of the United States is different from the State constitutions. The Constitution of the United States lists the authority of the Federal Government. That was one of the important matters that the Fathers of the Constitution always had before them. But State constitutions do not list the powers of the State governments.

A State constitution generally does two things. First, it divides the powers of government among the different branches. Second, it limits the use of the powers of State government. The government of each State is decided by its constitution. The constitution tells each branch what authority it has and how it can be used. The constitution was accepted by the people of the State. It can be changed only by the people in the way set out in the State constitution.

Each State has a State constitution. A State constitution generally contains a statement of the purposes of the State government. It lists the rights of the people living in the State. It tells how the State government is to be organized to do its work. It sets out rules for the local governments of the State. It may list the different kinds of property that shall not be taxed. It always tells how amendments may be added to it.

Each of the State constitutions declares that the final authority in the State belongs to the people. Each tells how the State government departments shall work with other departments. And each State constitution gives the principles that the people of the State must follow in organizing their government.

A STATE HELPS TO GUARD THE HEALTH OF ITS PEOPLE

One of the most important services of the State government is to help protect the health of the people. There are many officers who do this work. The State laws usually declare that doctors and nurses, and persons who make and sell medicines must have *licenses.* The State gives them a license only after satisfactory examinations have been passed.

The State officers examine many different kinds of foods and drugs. Most States have laws limiting the sale of drugs and certain foods. The States try to prevent diseases among their people. They keep up hospitals for those who are sick in body or mind. State officers see that school children are examined and their health protected.

A STATE EDUCATES ITS PEOPLE

The State governments do many things to help their people get a good education. They provide State schools where all or part of the expenses are paid out of tax money. The public schools help to prepare the people for the American way of life. The States want this job done well. They often pass laws to require children to attend school because education is necessary in a democracy.

State officials decide what subjects shall be studied in the schools. The State often gives public money to poor communities for school purposes. Many of the States have special schools in which teachers, housewives, farmers, and wage earners may study and prepare for their work. You will want to study the school system of your State and learn about the different schools.

A STATE PROTECTS THE LIVES AND PROPERTY OF ITS PEOPLE

Local governments have special officers who try to prevent crime and punish persons who break the laws. The State also has a militia that may be called upon to aid the local officers. The governor can send the militia to any part of the State when he thinks that the local officials are not able to enforce the laws. Also, States have a State police force to help keep order in the State.

The States protect their people by controlling certain kinds of businesses. Special officers inspect mines, factories, and other places where people work. Other officers control the gas, water, and other companies that serve the people. They fix the charges for services. Still other officers control the banks that are organized under State laws.

The authority of the State to pass laws to protect the lives and property of its people is called the "police power." This means the power of the State to protect the lives, health, and property of the people. It is the power to provide for their *safety,* comfort, and *conven-*

ience. The States, for example, use their police power when they control the sale of alcoholic drinks. They use this power when they limit the hours of labor of women and children in factories.

SOME STATES HAVE SPECIAL *PROBLEMS*

For many years the people of this country have wasted the natural riches. Trees have been cut or burned without any thought of the future. The soil has washed away. Wild birds that protect crops have been killed. The oil, coal, gas, and other natural riches have been used largely as we please. But the States are taking steps to educate their people to care for and save the natural riches.

Most of the roads are under the control of the different local governments. But they are used by all of the people. The State, therefore, helps to pay the cost of building and repairing the local roads. The State governments work with the Federal Government in planning, building, and paying for the most important roads.

SOME WAYS IN WHICH GOVERNMENT ORGANIZATIONS ARE LIKE ONE ANOTHER

Our fifty States are very different from one another in many ways. Some States are small while others are large. Only a few people live in some States while large numbers live in others. But all of the States have governments that are like one another in the way they are organized.

Our governments have three general branches. There is a legislative branch, which makes the laws. There is an executive branch, which enforces the laws. And there is a judicial branch, which explains and applies the laws when they come up in cases before the courts. This plan is used in the organization of our Federal, State, and city governments.

THE LAWMAKING BRANCH OF STATE GOVERNMENTS

The lawmaking branch of the State government is made up of two separate groups in every State except Nebraska. One group, or house, is called the senate. The other is called the house of representatives or assembly. In most States, the house of representatives, or assembly, is much larger than the senate.

The members of the lower house are usually elected from counties. The members of the senate are elected from districts that contain one or more counties. The term of office of each may be different in the different States.

You will want to examine the constitution of your own State. Try to learn the way in which members of the lawmaking body are elected. What is their term of office? What qualifications must they have? Your teacher will help you with this work.

In the forty-nine States that have legislatures divided into two houses, laws are made in the same general way. Any member of either house can bring forward a bill that he wishes to have passed and made law. This bill is sent to a committee.

After the committee has studied the bill, it may decide to do nothing and put an end to the bill. If the committee favors the bill, it reports back to the house and suggests that the bill be passed. The members have a chance to talk for or against the bill. Then a vote is taken. If a majority of those voting favor the bill, it is passed. The bill goes to the other house where the same steps are taken.

After the bill has passed both houses, it is sent to the governor of the State. If he signs it, the bill becomes a law. The governor may veto the bill. Then it does not become a law unless the two houses again pass it by the necessary majority over the governor's veto.

THE EXECUTIVE BRANCH OF STATE GOVERNMENTS

The executive branch of the State government includes the governor and other executive officers. The governor is elected by the people of the State. His term of office, qualifications, and powers are fixed by the State constitution.

The governor advises the legislature as to changes which should be made in the laws. He may call special meetings of the legislature. He has power to appoint officers. His chief duty is to see that the laws of the State are carried out and obeyed.

The governor must have other officers to help him. These officers are elected or appointed according to the law of the State. The secretary of state keeps the official records of the State. He helps to carry out the election laws. The attorney general is the chief law officer of the State. He advises the governor and represents the State in the courts.

The State treasurer takes care of the money that comes to the State from taxes, licenses, and fees. He pays the public bills of the State. The State *auditor* examines all bills of the State and the books of the public officers.

There are special officers who carry out the labor laws. Other officers have control over companies that offer services to the public. Your own State has important boards and commissions. You will want to learn something of their work.

THE JUDICIAL BRANCH OF STATE GOVERNMENTS

Each State has a system of law courts. It is called the State *judiciary*. The courts help to explain the State laws. They also help to punish those who are proved *guilty* of crimes.

The State courts have authority over two general classes of cases—*civil* and *criminal*. We have learned that every person has certain rights. If another person does not respect these rights, he can be sued in court by the persons whose rights are not respected. In such a case between private persons, where the wrong does not affect the general public, the court case is called a "civil suit." If a person breaks a law that protects the people, it is a crime. The State may punish him. It brings a "criminal action" against him and he is tried for the crime. If he is found to be guilty he may be punished.

The State has a large number of courts in which cases are brought and tried for the first time. There are other courts that examine the decisions of the lower courts. They decide whether the cases were decided properly by the lower courts. Also, there are special courts that hear special matters, such as children's courts and orphans' courts. You will want to study the constitution and laws of your State and learn about the State courts. How are the judges selected? How many courts do you have?

WE MUST WORK WITH THE STATE

The State touches the life of the people every day in some way. It cannot do its work well without the help of the people. The people can help by obeying the laws and by paying their taxes. They can suggest laws that they would like to see passed. They can let the State officers know when people break the laws. The work of your State is the work of the people who live there. Can you think of better ways in which the State could do its work?

THINGS TO DO

Some questions to discuss in your study group:

1. What things are done by your State to protect the health of the people? Can you think of other things that the State might do to improve the health of its citizens?

2. Tell the different ways in which your State protects the lives of the people. Why is it important to every citizen that doctors, lawyers, and nurses must get a license from the State before they can carry on their work?

3. In what way is the organization of the State governments like the organization of the Federal Government?

4. What laws are passed by the State legislatures to protect the businessmen? The workers? Women and children?

5. What can the governor of your State do if the officers of some local government are not able to keep peace and order in the community? Name some of the other powers of the governor.

Complete each of the following:

1. The three branches of every State government are:
   a. --
   b. --
   c. --

2. Three of the important executive officials in my State are:
   a. --
   b. --
   c. --

3. The two houses of the State legislature are, in general, called:
   a. --
   b. --

4. Three ways by which the States may save their natural riches for future use are:
   a. --
   b. --
   c. --

Choose the word or group of words that will make each of the following a correct statement:

1. Each of the fifty States has a—
   a. lawmaking body of one house.
   b. constitution.
   c. President.

2. The general plan of each State government is explained in—
    a. the Federal Constitution.
    b. the laws of the Congress.
    c. the State constitution.
3. The legislative branch of the State government—
    a. makes the laws for the State.
    b. tries cases in the courts.
    c. explains the laws.
4. The State legislature, in general, is made up of—
    a. two houses.
    b. one house.
    c. the governor and the department heads.
5. The system of courts in the State is called—
    a. the executive branch of the government.
    b. the State judiciary.
    c. the Senate.

Chapter XVII

The Purposes and Organization of Local Governments

> "Let us hold fast the great truth that communities are responsible [have duties] as well as individuals."
>
> —*Daniel Webster.*

We may well ask, what do the local governments do for the people? What are their purposes? How are they organized? Where do they get the authority to carry on their work? We shall now answer these questions.

LOCAL GOVERNMENTS SERVE US EVERY DAY

We need pure water. Perhaps the water is brought many miles for our use by a department of our local government. We cook our meals with gas or electricity which is supplied by the local government or by a private company that is controlled by our local government. Public officers test the milk and food that we use in order to make certain that they are pure. We put our waste in cans and later it is taken away by persons hired by our city government. We ride to work on a bus, streetcar, or railroad that is owned or controlled by the public. If fire should break out in the building in which we work, there are firemen who stand ready to save our lives. These firemen are hired by the local government.

Some officer of our local government helps us in some way in almost everything that we do. The general purpose of our local government is to provide the people with safe and better living conditions. Let us study this service carefully.

LOCAL GOVERNMENTS GUARD THE HEALTH OF THE PEOPLE

When large numbers of people live together in one place, it is necessary to guard their health. They need plenty of water. It must be tested to make certain it is pure. It should be supplied at as low a cost as possible.

Our local governments help to care for sick and other persons who cannot care for themselves. They look after boys and girls who are beginning to develop wrong habits. They often build parks, gardens, and playgrounds where the people may come to rest or play after work hours. These things help to make the community a better place in which to live. Your group will want to talk about the places for children to play or, if there are no places, why not.

LOCAL GOVERNMENTS PLAN FOR YEARS TO COME

Many communities have grown without any plan for the future. It is better for the health and comfort of the people to plan for the growth of their community. There is a real need in every community for people who will make plans for its growth.

A planning group may arrange for better ways of getting a water supply and carrying away the waste. It can plan for new streets and roads. It may plan for new buildings. It may divide the community into districts. It can keep factories, stores, and business buildings out of the home districts. If a city is divided into special districts for homes, factories, and business buildings, it helps to cut down the number of accidents, fires, etc. You will want to know whether your community has a special group that plans for the future.

THE MAYOR-*COUNCIL* PLAN OF CITY GOVERNMENT

We know that the services of our local governments are important. But how are they carried out? How are the local governments organized to supply their services?

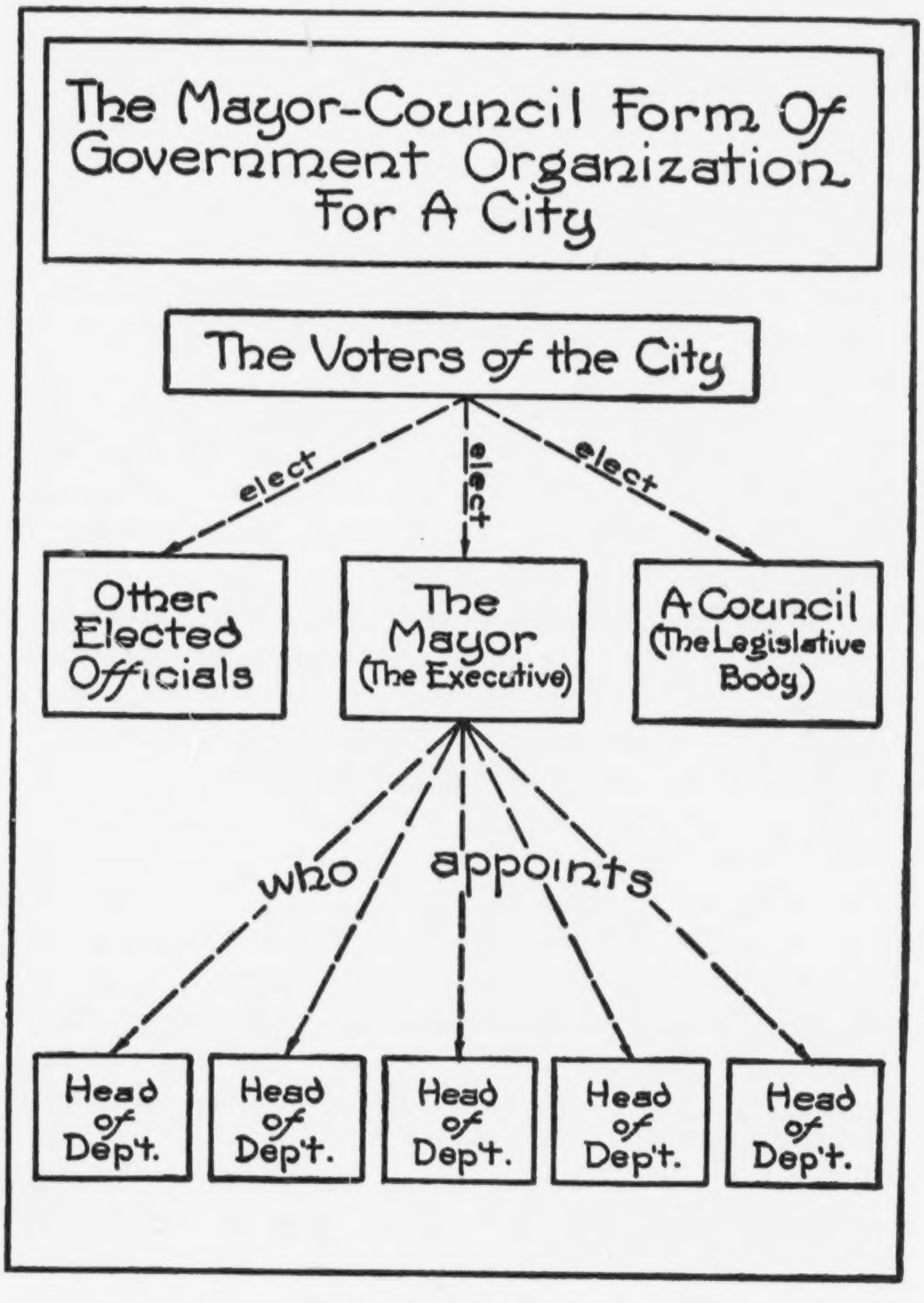


Figure 14

The Mayor-Council Form of City Government Organization

The local government that we know best is perhaps that of a city which is near to us. Our cities have a number of different forms of government organization. There is almost always a group of chosen representatives to direct the business of the city—to make the local laws and to levy the local taxes. There is also one person who is the head of the city government. He is called the *mayor* or manager. Then there are heads of important departments who are responsible to the mayor or manager.

The plan of city government is not the same for every city. You will want to study the plan of your own city. Your teacher will tell you where to go for this information. Usually there are three general plans of city government in use in the United States.

In some cities the voters elect an officer, known as a mayor. The voters also elect a lawmaking group, called a council. The members of the city council may all be elected by all of the voters. Often the city is divided into districts, with a member from each district. This form of city government is called the mayor-council plan.

The council makes the laws. The mayor enforces the laws. The mayor must have men to help him. The more important officers who work with him are called department heads. From our study of the purposes of the local government we know that there are departments of public health, police, fire, education, etc. The heads of these departments have such authority as is given to them by the mayor or by the city council.

Under this plan, the council passes the city laws. They are called *ordinances* or bylaws. But the city council cannot pass laws that go against the city charter, the Federal or State laws, or the Federal or State Constitutions. With the help of the mayor, it decides how much money is to be spent by each of the city departments and the purposes for which it is to be used.

THE *COMMISSION* PLAN OF CITY GOVERNMENT

Under the second plan of city government, the voters elect a small group of officials who are called the commission. The members of the commission may be elected by the people of the whole city. Often the city is divided into districts and one member is elected from each district.

The commission makes the laws of the city. It also sees that they are enforced. The work of the city is divided among several departments. Each member of the commission is the head of one or more of the departments.

THE CITY MANAGER PLAN OF LOCAL GOVERNMENT

Under the third plan of city government, the people elect a small council. The council makes the city ordinances and decides general matters. The council elects a manager who enforces the laws. The council has power to select the best man for the job.

The city manager appoints the heads of the departments who help him carry out the laws. He reports to the council on the needs of the city. He suggests plans as to how the public money should be spent. If the manager does not do his work well, he can be removed from office by the council.

ALL CITIES HAVE A SYSTEM OF COURTS

Every city has a system of courts. Sometimes the judges of the courts are elected by the voters of the city. In other cities, the judges are appointed by the city council or commission, or by the governor of the State.

OTHER LOCAL GOVERNMENTS

In the early days, there were few police in the cities. The citizens guarded their own homes and properties. The people cared for their own needs. But today we call upon our governments to serve us. We would rather pay taxes for these services than serve ourselves. We want our governments to furnish the services that are needed in order that we may live well.

All of our States are divided into districts. In most States the districts are called counties. In the New England States the town is an important local government. Often the counties are divided into smaller districts that are called by different names in different States.

VILLAGE AND TOWN GOVERNMENTS

Sometimes there are not enough people in a community to form a city government. So they ask the State government for authority to set up a village or a town government. The community becomes an "***incorporated***" village or town. The word "incorporated" means that authority has been delegated to the community by the State to have a local government.

The village or town is like a small city. It is governed by a board or council. The members are elected by the people. Some villages and towns elect a mayor and give him special powers. Also, they have a village or town clerk, a health officer, and police officers. These officers serve the people of the village or town.

COUNTY GOVERNMENTS

In most States, the county is the most important local government. The county governments are set up by the State constitutions or by the State laws. They supply many services for the people. They are in charge of local elections. They help to hold the State and Federal elections.

The county sets up courts that try persons who break the laws. It helps build and maintain schools. It keeps copies of important papers for the people, such as deeds and title papers. It has special officers who look after the poor and sick of the county. The county helps build and repair roads and bridges.

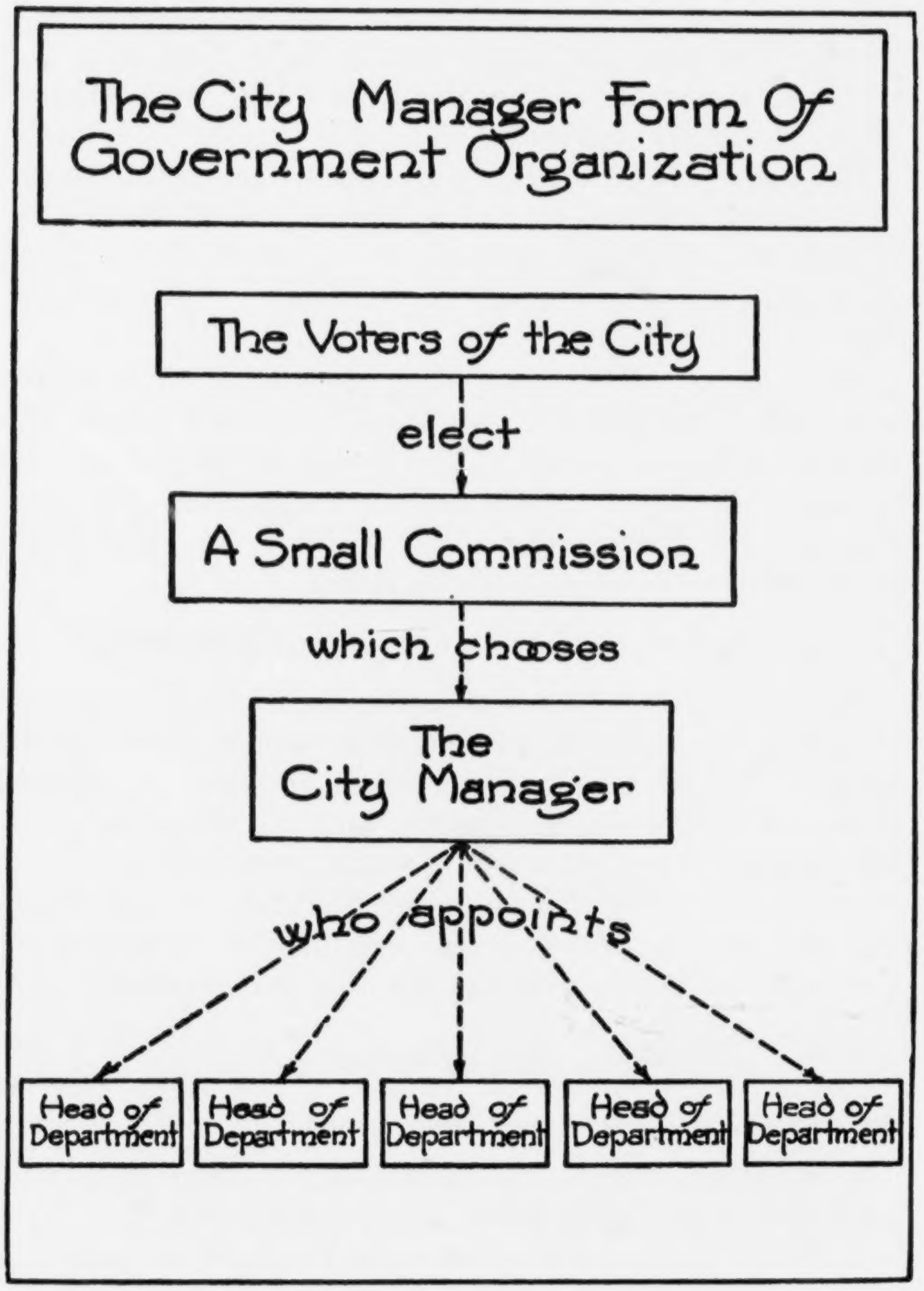


Figure 15

The City Manager Form of City Government Organization

In each county there is one town known as the "county seat." The county officials usually have their offices at the county seat, in a building called the "county building" or "county courthouse."

The county is governed by a board of commissioners or supervisors who are elected by the voters of the county. Certain county officials help the board do its work. Their duties are fixed by the law of the State. They are also selected in the manner fixed by law.

There is one officer whose chief duty is to see that those who break the law are punished. Another officer sees that the laws are obeyed by the people in the county. He is called the sheriff. Still other officers collect the taxes and pay the public bills of the county. In most States these officers are elected by the voters.

YOU SHOULD KNOW YOUR OWN LOCAL GOVERNMENTS

It is not possible to tell about all the forms of local governments that are to be found in every State in the Union. An attempt has been made to show the general purposes of these governments and the ways in which they work. You will want to study your own local government, the work it does under the laws of your State, and the way in which it was organized. Your teacher will tell you where you can get this information.

THINGS TO DO

Questions to discuss in your study group:

1. What are some of the things that you can do to prevent fires from doing harm in your community?

2. What plan of organization do you have in your city government? What important officials do the people elect in your local government? For how long a term do they serve?

3. If you live in a city, give a list of four of the departments in your city government. What is the special work of each of these departments?

4. What work of the government is carried on by your county?

Complete each of the following:

1. Some services that I get from my local government are:

a. --
b. --
c. --
d. --
e. --

2. Three forms of city government organization are:

a. --
b. --
c. --

3. City laws are called ------------------.

4. In the mayor-council plan of city government the chief officer of the city is called the------------------

5. The form of city government in which an elected group of representatives makes the city laws and each member acts as the head of a department for carrying out the laws is called a ------------------------.

6. In the city manager plan of city government the officer who carries out the laws is called the --------------. He is ---------------- by the council.

7. My county is----------------. The county seat of my county is ---------------. The number of people who live in my county is ----------. The number of counties in my State is ----------------.

8. The officer of my county whose duty is to carry out the laws is called the -------------. His name is ------ ----------------. He was $\frac{\text{elected}}{\text{appointed}}$ by --------------.

Some suggested trips:

1. If you live in a city, town, or village, learn how the waste is collected and visit the plant where it is collected and treated.
2. Visit the water supply plant of your local government and learn how the water is made pure.
3. Visit the schools and libraries of your community.
4. Visit the city hall or county seat of your local government and learn how the work of government is carried on.

Chapter *XVIII*

How We Pay for Our Governments

> The fact that public money is spent for public services "makes it clear that the cost should be distributed [divided] in some way so that each will pay his fair share."
>
> —*John A. Lapp.*

We are glad to pay for what we get. If we buy food, or if a doctor serves us, we expect to pay the bill. These are our private bills. But we also have public bills that must be paid. Our governments help us to live well. They make it possible for us to have better homes and schools. They often furnish services which we use without thinking how we got them. Yet these services cost money. Public bills must be paid. In general, we pay them through taxes.

SUPPOSE THAT NO TAXES WERE PAID

Suppose that the people in a city have stopped paying taxes. There is no water supply. The people are not sure that the water is pure. The milk and foods have not been tested. The streets are not clean. There are no police to protect the people and their property. The prisons are open. The schools are closed. Many people are sick. Diseases are spreading.

We would not want to live in such a city. We would not want our children to play there. We want pure water and food, clean streets, and good schools. We want officers to protect us from crime.

We know that it is better to pay for what we need in order to live well. But the services of the Government cost money. The public bills get larger each year. We spend public money today for services that we did not have fifty years ago. For example, we now use public money to help prevent accidents in mines and factories and to help the farmers.

WHERE THE PUBLIC MONEY GOES

The chief duty of every government is to protect persons and property. Over three-fourths of the money spent by the Federal Government goes for this purpose. The next largest amount of public money is spent to teach and train our citizens. Our governments pay billions of dollars a year for schools and libraries. Public money is used to pay the teachers and the other public officers. A large amount of public money is spent on roads.

If we live in a city, we demand that it supply us with many services. We want to enjoy our family and home. We want police, fire, and health officers to serve us. Of course, they must be paid for their work.

Our State government gives us a few of the same kind of services that our city supplies. It gives money for the support of schools over the State. It may aid a university or college to which we can send our children at little cost. It spends money for roads, courts, and prisons. It helps to take care of persons who are poor or who have been hurt. It may care for those who are not able to work.

The Federal Government serves more people than our State or city governments. It must keep up an Army, a Navy, and an Air Force. It must pay interest on borrowed money. It must meet the expenses of war. It costs more to build a big battleship than the total expenses for one year of a large city such as Buffalo or Minneapolis.

WHERE DO THE GOVERNMENTS GET THE MONEY?

The greatest part of the necessary money is raised by taxes. A tax is money that we must pay for the support of our Government. The law commands us to pay our taxes. We have no choice in the matter. Almost every person pays some tax in one form or another.

In early years, our Government received money from the sale of public lands. But most of the best public lands have been sold. The money received was used to help pay the costs of government. We still have some public lands that contain oil, coal, gas, and other natural products. They could be sold. However, we want to save them for future years.

TAXES ON INCOMES

A large part of the public money of the Federal Government comes from taxes on incomes of persons and companies. The Federal Government receives about half of its tax money in this way. Some of the States also have income taxes. A few cities place a like tax on their citizens.

A person's income is the money that comes to him from property, from labor, or from both. It may come as pay for work done, or as profits, interest, or rent from property that he owns.

Living expenses make a difference in the amount of income tax we must pay. Two persons with equal incomes may not pay the same amount of taxes. One person may support a family. He may have to meet expenses that the other person does not have. A person who supports a family is allowed a larger amount of income on which no tax is collected. Persons with very small incomes do not have to pay any income tax. They pay other taxes but not always in a direct way.

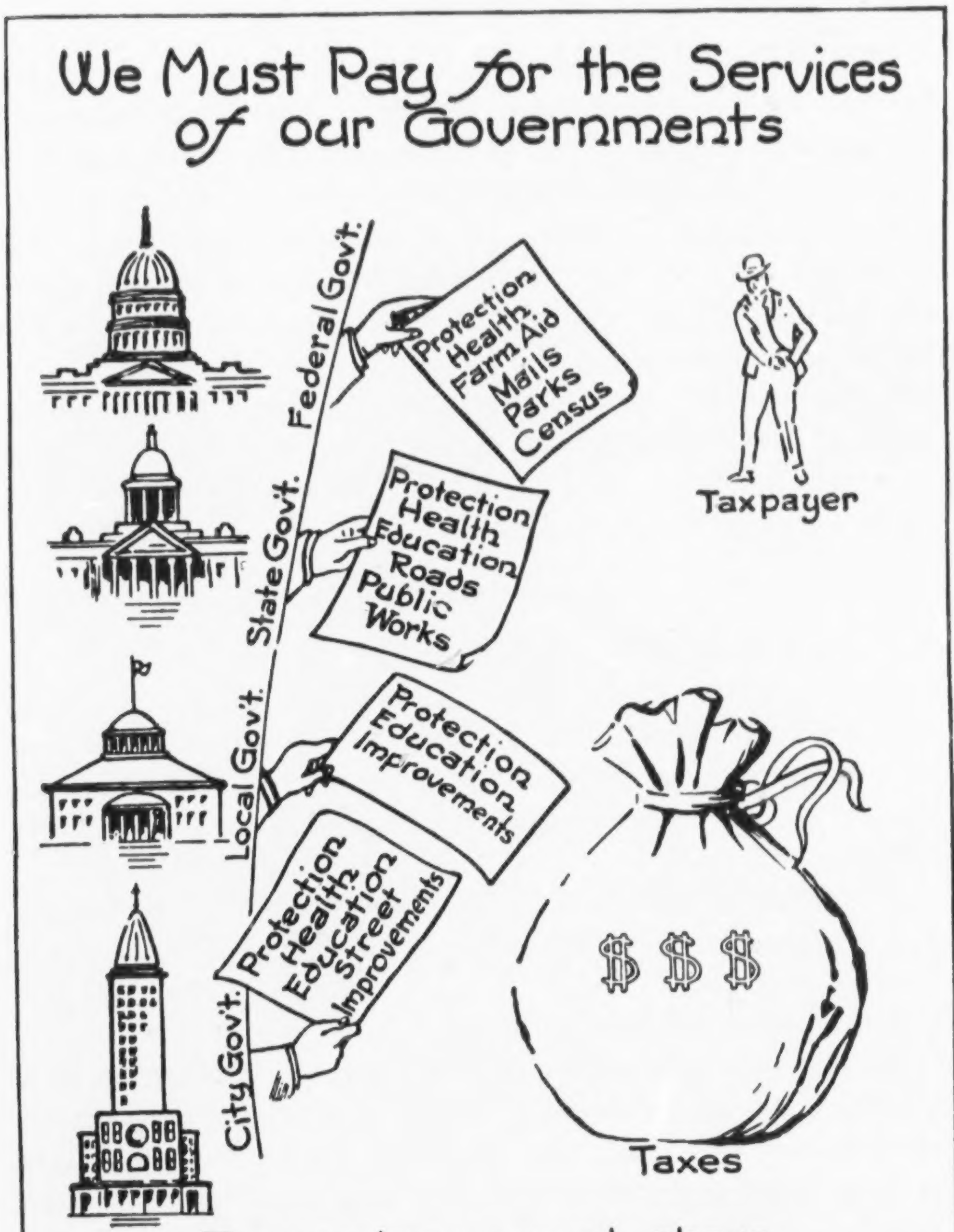

We Must Pay for the Services of our Governments
Federal Gov't.
Protection
Health
Farm Aid
Mails
Parks
Census
State Gov't.
Protection
Health
Education
Roads
Public Works
Local Gov't.
Protection
Education
Improvements
City Gov't.
Protection
Health
Education
Street
Improvements
Taxpayer
$ $ $
Taxes
The services named above
are some of those for which the taxpayer pays

Figure 16

INHERITANCE TAXES

The Federal Government and many of the States collect large amounts of money from inheritance taxes. An inheritance tax is a tax on property left to a person by someone who has died. We have no right, except as given by law, to give away our property at death. Nor do we have a right, except as given by law, to take property from others who may want to give it to us upon their death.

In the early days, when a person died, his property went to the Government. The rights to give and to take property at death are given to us by law. The Government is free to list the conditions subject to which the rights may be enjoyed. If we want to use the rights, then we must meet the conditions laid down by law. We must pay the inheritance tax.

A tax is usually placed on all large gifts of money or property that living people make to one another. This tax makes it impossible for people to give away such property while living and to thus escape the inheritance tax.

Some of the States also have an inheritance tax.

PROPERTY TAXES

Our State and local governments get a large amount of their money from a general property tax. This is a direct tax on fixed property, such as lands and buildings. It is also placed on property that can be moved about, such as furniture, money, and stock. In some States the income tax has taken the place of the property tax. The Federal Government does not use the direct property tax.

Each State can tax persons and property within its limits. But the authority to tax is not complete. For example, in some States the State constitution limits the amount of taxes that can be placed on property in any one year. Also, the States cannot tax the property of the

Federal Government unless the Congress allows it to be done.

BUSINESS TAXES

Many taxes are placed on businesses. The tax may be different for each business or it may be at a different rate. Some States tax the right to do business as a company. The Federal Government and most of the States tax the incomes of companies doing business within their limits. A business corporation must pay a tax on the shares of stock which it may issue to show ownership in the company.

If a business wants to use public property for private gain it must pay a special tax. Most of the States and cities place heavy taxes on businesses, such as railroad and bus companies, that use public property. The chief purpose of public property is for public use. When persons want to use it for the special purpose of private gain, a charge in the form of a tax must be paid. It often happens that the tax must be paid every year as long as the public property is used.

Licenses are important for the support of State and local governments. A license is a statement in writing that gives the person named in it the right to do certain acts or carry on certain businesses. They are charges made for special rights that are given by law. For example, they permit persons to run shops or to practice law and medicine. If we want to drive an automobile, hunt, fish, or marry, then we must get a license for which a charge is made.

INDIRECT TAXES

A tax is direct when the person who pays it cannot pass it along to someone else. An income tax is a direct tax. The person who has the income must pay the tax on it. But many taxes are paid by one person and are then passed on to other persons. For example, the taxes paid on goods brought in from a foreign country are not direct. The person who brings in the goods pays the tax to the Federal Government. But he usually adds the tax to the price at which he sells the goods. In this way the person who buys the goods pays the tax.

Some goods made in the United States are taxed by the Federal Government but not in a direct way. Taxes are placed on tobacco products, medicines, strong drinks, and playing cards. But the makers add the tax to the price of the goods. The person who buys and uses the goods pays the tax on them.

CHARGES FOR SPECIAL SERVICES

Many cities own their waterworks, gas and electric plants, and street railroads. They charge for these special services.

The Federal Government owns the Postal Service. It has built a number of electric plants on different rivers in the United States. It collects millions of dollars every year from ships which use the Panama Canal. Our governments make a charge to those who use its courts. These costs help to pay for carrying on this work. But the money from these special services never amounts to very much.

We believe that if our local governments help to increase the value of certain property the persons who own the property should help pay the costs. When streets are paved or sidewalks and sewers are put in, the local government generally sends a bill to the person who owns the property that has been improved. He must pay all or a part of the costs. This gives more money with which to pay the public bills.

HOW OUR GOVERNMENTS SPEND PUBLIC MONEY

The Government has authority to spend such money as is needed for important services. But it should be wise in what it spends. The Government should get the greatest possible value for its money. Tax money should be spent in a way that will help all the people.

Most of our governments are run like a business. Before the year begins, the officers decide how much public money will be needed for the next year. They decide how much money can be raised during the year. Then they agree how it should be spent. They list the money that they think can be collected during the next year. They list the costs of services that must be performed. This is called the *budget.*

The budget is usually prepared by a special officer. After it is prepared, it is sent to the lawmaking body. The public officers and the people suggest changes.

A budget officer of the Federal Government prepares the Federal budget. It is sent to the President about six months before it is to take effect. The President studies it. Then he sends it to the House of Representatives. A special committee of the House goes over it and makes changes. After it has passed both the House of Representatives and the Senate, it is sent to the President. If he signs it, it becomes a law.

THE INTEREST OF THE PEOPLE IN HOW PUBLIC MONEY IS RAISED

Some persons do not stop to think about the effect of taxes. They forget that the costs of government are paid by the people. They forget that there is a limit beyond which taxes cannot be raised. Suppose, for example, that our city officers should decide to raise all of the public money through property and business taxes. The tax on land is usually added to the rent. Rents might go so high that many people with small incomes could not live in comfortable houses.

If the taxes on business are too great, it cuts down trade. We do not carry on a business unless we think that we can make some profit. If the taxes take all of the profit, we go out of business. Then those who worked for us must find other jobs or else live at public expense.

Tax money is our money. We have a very real interest in how the public money is raised. We should know how it is spent. The good citizen studies the different kinds of taxes that he must pay. He watches how the money is spent. He wants to see that his Government gets the greatest possible value for its money.

THINGS TO DO

Questions to discuss in your study group:

1. In what way is a tax different from a debt?
2. Why cannot we sell all of our public lands and use the money to pay public bills?
3. What is meant by an "income tax"? Does your State place a tax on incomes?
4. What are the two kinds of "inheritance taxes"? Which of our government groups use this kind of tax? Does your State have an "inheritance tax"?
5. Name one kind of property that the States are not free to tax.
6. Why do our States and cities make bus companies pay license taxes? Name two businesses in your city that use public property for purposes of private gain.
7. Name a tax that is direct. Give an example of a tax that is not direct. In what way is a direct tax better than one which is not direct? Why?
8. Why should a person be compelled to pay a special tax when the Government helps to improve the value of his property in some special way?
9. What is meant by a "budget"? What purpose is served by a "budget"?

Complete each of the following:

1. The first job of every government is to ---------- persons and property.
2. The tax that we pay on our gains from capital and labor is called an ------------ tax.

3. The Federal Government does not use the ------ property tax.

4. The State may tax the right to do business as a --------------.

5. The special tax for the right to do a certain thing in a certain way is called a ------------ tax.

6. When a tax is paid by one person and then passed along to another person, it is not a ------------ tax.

7. Legislation providing money to meet the budget must begin in the ---------- of ------------.

8. The costs of Government are -------------- by the people.

Chapter XIX

How Our Different Governments Work Together

> "A thoughtful mind, when it sees a Nation's flag, sees not the flag only, but the Nation itself; and . . . he reads chiefly in the flag the Government, the principles, the truths, the history which belongs to the Nation that set it forth."
>
> —*Henry Ward Beecher.*

We learned earlier that our Nation is made up of many government groups. They must work with one another in order to get things done. The States must work with the Federal Government. The Nation must work well with the States. The States must work with their cities. The cities must help the States.

WHY OUR GOVERNMENT GROUPS MUST WORK TOGETHER

One group alone cannot give us all the things that we need. Suppose that a disease breaks out in one city. Other cities act to prevent the disease from spreading to them. But the cities may not be able to prevent it unless the State acts. The disease may spread from one State to another. The Federal Government must give help. This is only one example of how our government groups must help one another.

Our different governments work together in order to get their work done. If the different governments did not work together, our Nation would not be strong. Each State could go its own way. Each city could do as it pleases. Our different governments could not supply us with the services that we need unless they helped one another.

WAYS IN WHICH THE NATION WORKS WITH THE STATES

The Federal Government is a government of the people. But the people live in States. The people must support the Government of the Nation as well as the governments of the States. Rather than furnish certain services to the people in a direct way, the Federal Government helps the States to supply the services to the people. For example, it helps the States build roads, improve farm life, and protect the riches of nature.

The Federal Government guards the States from attacks by foreign countries. We have already learned that the power to make war was delegated to the Federal Government. But in the event of war, the States help the Federal Government to raise soldiers. The States help to raise money to carry on the war. Also, if any State is not able to keep peace at home, it may call upon the Federal Government for help.

The Federal Government has a Supreme Court. Sometimes the States quarrel. They can ask the Supreme Court to decide questions. At times, different States have claimed the same land. They have asked the Supreme Court to decide to which State the land belongs. Sometimes a State controls its natural riches, such as gas and water, in a way that hurts other States. The States have gone to the Supreme Court to get the matter corrected.

The Constitution says that the State officers must take an oath to support the Constitution of the United States. It gives the Federal Government authority to make certain that the final authority in each State rests in the hands of the people. If a few men should take the final authority away from the people of a State, the Congress could act to correct the matter.

WAYS IN WHICH THE STATES WORK WITH THE NATION

The Federal Government depends upon the States for many things. It must work with the States. For example, the Federal Government does not take direct charge of the vote of the people in electing Senators and Congressmen. The States decide how men shall be nominated for these offices. The States fix the way in which they shall be elected. Within limits set by the Constitution and Acts of Congress, each State is free to say who may vote for Senators and for Congressmen.

We know that the States must approve amendments to the Constitution of the United States. The Federal Government alone cannot amend the Constitution. The legislatures or conventions in at least three-fourths of the States must agree to the amendments. The States have, at times, refused to approve suggested amendments.

The Federal Government helps the States to organize the Militia. In time of great danger, the Federal Government may call on the Militia to help enforce the laws of the Nation or to defend the country against attacks from foreign countries.

WAYS IN WHICH THE STATES WORK WITH ONE ANOTHER

Each State has as much authority as every other State in the Union. It may be a young State without much experience. The population may be very small. But the State is as free to use its authority as every other State. We do not have different classes of States with different kinds of authority. We live in a Union of equal States. The States cannot destroy the Union. The Federal Government has no authority to destroy the States.

No State can live alone. Each State must get along well with other States. The Fathers of the Constitution knew that some of the old States might feel more important than new States. For that reason, the Constitution says that full faith shall be given in each State to the public acts, records, and court *proceedings* of every other State.

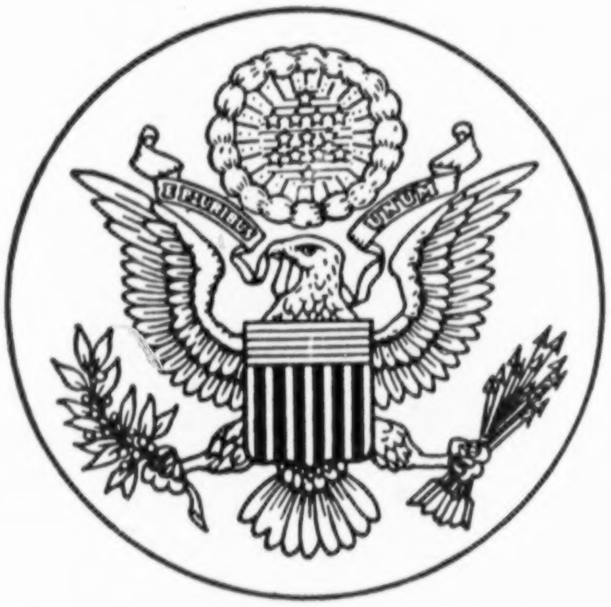
If an act is done according to the law of one State, it must be accepted by the other States even though their laws may be different. It must be accepted because the

Constitution requires the other States to accept it. If the States did not respect the work of one another in this way, then a case tried in the courts of one State might be tried a second time in the courts of another State. A title or deed to property in your State, which is good under its laws, might not be accepted as good in other States.

People often move from one State to another. Suppose that we should move from New York to California. California cannot place higher taxes on our property or income than is placed on the property or income of its own citizens under the same conditions. The authority of California is limited. The Constitution says that a citizen of one State who goes into another State cannot, in general, be made to obey different laws because he is a citizen of another State. But a State may command that he live there for a certain length of time before he has the right to vote.

The laws of a State are in force only within its limits. Thus, one State cannot punish a person for a crime that he committed in another State. It often happens that a person will commit a crime in one State and go to another State. It may be hard for the officers to find him. But all of the States try to work together to see that criminals are punished. Although a State cannot punish a person for a crime committed in another State, it can return lawbreakers to other States for trial.

The Fathers of the Constitution believed in free trade among the States. They thought that free trade would help to make the Nation strong. They did not want any State to be unfair about goods produced in other States. Thus they limited the authority of the States. No State may treat goods from other States in a different manner than it treats goods made within its own limits. No State may place greater taxes on goods brought from other States than it places on like goods made within the State.



Face of the Great Seal of the United States

After the colonies had declared their independence on July 4, 1776, a committee was asked to plan an official seal for the new Nation. The face of the Great Seal of the United States is shown above.

The Latin words, "E Pluribus Unum," mean "one made up of many" or "from the many the one." They tell us that the United States is made up of many States, that we are one Nation with many people. You will find the Latin words printed on the money of the United States.

In the shield, the stripes represent the thirteen States. The band represents the Congress. The stripes are joined together by the band. This shows that the States are united in the Congress. The band rests on the stripes. This shows that the Congress depends upon the Union of the States for its support.

Figure 17

The Great Seal of the United States

The States work together in many other ways. Cities in different States get their water supply from the same river. They want a clean and pure water supply. The States help them. Sometimes two States will agree to build a bridge across a river that separates them. They decide on plans, costs, and control of the bridge. New Jersey and Pennsylvania united in this way and built a bridge, across the Delaware River, between Philadelphia and Camden.

WAYS IN WHICH THE STATE AND THE CITIES WORK TOGETHER

Almost every city gets many necessities of life from beyond its limits. It cannot live alone. It must have the help of the State and of other cities. Let us study, for example, the water supply of a city. Some cities get their water supply from clean mountain lakes. But the land around the lakes must be guarded to keep our waste. Other cities get their water from rivers. Often the rivers are filled with waste from other cities. The water cannot be used until the waste is taken out.

It would be better if the waste were not placed in the rivers. But one city cannot tell other cities what to do. In order to get a supply of pure water, the city must have the help of the State. The State can control the other cities and the factories that place waste in the rivers.

A State works with its cities in other ways. It cares for the poor and sick by giving money to city hospitals. The State often buys lands for public parks. Sometimes the State improves old roads and builds new ones. It works with the cities to get better schools and hospitals.

We know that many of our cities are small. They are not able to set up their own courts. The State will let the citizens use its courts. The State pays the judges and the court officers. Many of our towns and cities feel that they cannot pay enough to get good police officers. Some

States have police officers who help to keep the peace in small towns and cities.

The State asks the cities to help enforce the State laws. Often the city officers collect taxes for the State. When it comes time to elect State officers, the State depends on the cities to help. The State does not set up a system for this special purpose. It uses the election system that the cities already have.

WHAT THE PEOPLE GAIN

Our Nation, the fifty States, and the thousands of other government groups help one another. At times they work together because the Constitution commands it. More often, however, they work together because they know that it is the best way to get things done.

The different government groups are our own groups. They work and act for us in carrying on the work of the Government. Only when the government groups work well together can they give us good services at low costs. And only when the people are willing to work together can we enjoy fully the rights of free men. We should, therefore, know the ways in which our government groups work together. We should suggest changes that will help them to do their work.

THINGS TO DO

Complete each of the following:

1. Our different governments work together in order to:
   a. ______________________________________
   b. ______________________________________
   c. ______________________________________

2. Three ways in which the Federal Government works with the fifty States are:
   a. ______________________________________
   b. ______________________________________
   c. ______________________________________

3. Three ways in which the States work with the Federal Government are:

a. ---------------------------------------
b. ---------------------------------------
c. ---------------------------------------

4. Three ways in which the States work with one another are:

a. ---------------------------------------
b. ---------------------------------------
c. ---------------------------------------

5. Three ways in which the States work with their local governments are:

a. ---------------------------------------
b. ---------------------------------------
c. ---------------------------------------

CHAPTER XX

Ways in Which Our Government Groups Work With Citizens

> "As soon as public service ceases to be [is no longer] the chief business of the citizens, and they would rather serve with their money than with their persons, the Government is not far from its fall."
>
> —*Jean Jacques Rousseau.*

We have studied the ways in which our government groups work together. But they must also work with the people. The public officers are only the representatives of the people. They are placed in office to serve the people.

WAYS IN WHICH LAWMAKERS WORK WITH CITIZENS

Many times, during their terms of office, the officers of our local governments are asked to help the citizens. Perhaps the citizens want more and better street lights. Other citizens want a new school building in some part of the town. Still other citizens would like to have less taxes. The citizens want something done. They expect their representatives to help them do it.

The elected officers of the State and Federal Governments also learn the needs of the people. Every member of the Congress, for example, gets letters asking that the Federal Government work with a State or a city in meeting some public need. Some of the letters suggest that the Congress pass new laws. Others do not favor a bill that is before the Congress.

Many persons go to the offices of their Senators and Representatives. They present their ideas in person. The letters and calls receive attention. The public officers are generally willing and anxious to work with the citizens.

OUR CITIZENS MEET THOSE WHO CARRY OUT THE LAWS

Citizens work more often with officers who enforce the laws. We know these officers best because we meet them more often. We work with them. For example, almost every citizen of the United States knows his postman. He is served often by the Postal Service. The services are given in such a quiet, simple way that we often forget those who work both day and night to serve us.

Most citizens do not think about the Navy Department when they set their watches by some clock in a public place or building. But the time is correct because the clock is controlled by the correct Naval Observatory time. Nor do the people think of the Department of Commerce when they read the weather reports or hear them on the radio, or television.

HOW GOVERNMENT GROUPS WORK WITH HEALTH GROUPS

Every year we learn more about how to protect public health. We believe that the people must have good health, sound minds, and strong bodies. In other chapters we have mentioned the public parks, playgrounds, hospitals, and homes that are built by government groups. These are used by many of our citizens to improve their health. Teachers in our public schools look after the health of the pupils. Our city and State governments often employ doctors and nurses to care for those who are sick.

Our Federal Government has special officers who work to prevent the spread of diseases. The officers study new medicines and new ways of treating the sick. They tell doctors and nurses how to improve the health of our people. They print books on health care and the causes of diseases. Every year these books are given away free to those who ask for them.

HOW GOVERNMENT GROUPS WORK WITH WAGE EARNERS

There are many Federal and State laws that say under what conditions people may work. In general, the States control these matters. Most of the States now have special officers to guard against accidents to wage earners. They protect the health of wage earners. There are other laws that compel those who own the mills and the mines to guard against dangers. Special officers see that these laws are obeyed. Other officers help persons out of work to find jobs.

Other officers work with employers and employees in trying to settle disagreements between them without stopping work.

The Federal Government has a Department of Labor, as you have learned, which helps to improve the conditions of wage earners. The Department of Labor studies the future supply of labor for the country.

HOW GOVERNMENT GROUPS WORK WITH FARMERS

At the time the Constitution was written, very few persons thought that our government groups should help the farmers. But as people began to move to the cities, we learned that we depend on the farmer to satisfy many of our wants. In time, our government began to test seeds and to improve livestock. They showed the farmer how he could get more for his labor. They showed him how to fight the enemies of farm crops, animal diseases, and other dangers.

The work of the farmers became so important to the Nation that the Congress set up a Department of Agriculture. The Department tries to find new uses for agricultural products. It controls many of the markets at which the products are sold. It has brought new plants from foreign countries and has taught the farmer how to grow them. It tells him when to plant certain crops. It helps the farmer to decide when to gather and to market his crops.

In recent years, the Government has helped the farmers to build up the soil. We had more land than we could properly care for in the early days. The good soil was wasted. Today much of the land is very poor. In early days, the farmers could move on to new lands or plow up the grass lands. But this is no longer possible. We must build up the soil by planting proper crops and in other ways.

Both the Federal and State Governments are working with the farmers to prevent further waste of soil. They are helping to take water off good lands where it is not needed. In other States, they help the farmers to bring water from the mountains and rivers to dry land where it is needed to grow crops.

HOW GOVERNMENT GROUPS WORK WITH MONEY GROUPS

Almost every person in this country deals with a bank. We keep our money in banks. We go there to cash checks. Often we borrow money from a bank. The persons for whom we work must have money to meet pay rolls. Many of the pay rolls are prepared by banks. We could not get along well without our banks.

Banks are privately owned—commercial banks, by their stockholders; mutual institutions, by their depositors or share account holders. Some of the banks are supervised by the Federal Government. All of these banks must have the word "National" in their names. The other banks are supervised by the States in which they are placed. These banks must obey the State law. Officers examine the books of the banks every few months to see that the banks obey the laws and that the people's money is safe.

HOW THE GOVERNMENT WORKS WITH SHIPPERS AND PERSONS WHO TRAVEL

Persons who travel or ship goods from place to place want to feel safe. We are usually free to travel where we please. We can sell and ship our goods. Often we pay others for these services. When we drive over the public roads and streets, we like to know that they are safe. When we travel on railroads or ships, we expect Government officers to examine them and to protect our lives and property.

If a ship flies the flag of the United States, it is examined on regular dates by officers of the Department of Commerce of the Federal Government. The officers will not permit a ship to sail if they find that it is not in good condition. The officers of the ships are supplied with maps prepared by the Navy Department. The weather reports are handed or sent to them many times a day by another branch of the Federal Government. And the officers help protect persons on the vessels against disease, accidents, and storms.

The engines and cars that are used by the railroad companies must be safe. They are examined at regular times by Government officers in order to see that they are in good condition. The different bus and truck companies must meet the standards laid down by the governments. There are limits as to speed, load, and weight. Also, these companies are not free to charge what they please for their services. Their rates are fixed by boards and officers of the Government.

HOW GOVERNMENT GROUPS WORK WITH BUSINESSMEN

Our government helps businessmen in many ways. A businessman needs information. The Federal and State Governments try to supply it.

The Department of Interior helps those who own mines and oil and gas lands to prevent accidents and waste.

Other officers of the Government help businessmen to make and sell foods and medicines that meet the standards fixed by law. The chief purpose of the Department of Commerce is to help the businessmen of the nation. You will want to study again the work of that Department.

THINGS TO DO

Complete each of the following:

1. During the past year I have seen the following Government officers:

a. --
b. --

2. The people make their wants known to the officers of the Government by:

a. --
b. --

3. Two ways in which our government groups work with health groups are:

a. --
b. --

4. Two ways in which our government works with wage earners are:

a. --
b. --

5. Two ways in which the Federal Government works with farmers are:

a. --
b. --

6. Two ways in which our government groups work with money groups are:

a. --
b. --

7. Two ways in which our government groups protect those who ship or travel are:

a. --
b. --

8. Two ways in which the Federal Government works with businessmen are:

a. ---------------------------------------

b. ---------------------------------------

Chapter XXI

Basic Principles of Our Government

> "The people have an original right to establish [declare], for their future government, such principles as, in their opinion, shall most conduce [best lead] to their own happiness."
>
> —*John Marshall.*

All of our government groups are organized and do their work according to certain basic principles. We cannot be good citizens unless we understand those important principles. Every citizen should know these principles. They will help him to understand his rights and duties under our laws.

We shall repeat here, in short form, many of the things that we have already studied. We shall again study the important basic principles of our Government. They have stood the tests of time and experience. They have not been changed for many years.

THE PRINCIPLE OF REPRESENTATIVE GOVERNMENT

Our Constitution is built on the basic principle that the people govern through chosen representatives. The people have the final authority. But they elect Senators and Congressmen to represent them in the Congress of the United States. In a less direct way, they elect the President and the Vice President.

In every State the people choose State, county, city, and town officers to carry on the work of the Government. The officers are only agents of the people. The officers must do their work in a way that satisfies most of the voters. If they do not, the people can put them out of office and elect new officers.

In many foreign countries, the people have no real say in the way their government is run. The laws and the taxes are fixed by some person or group of persons at the head of the government. The government gives the people such liberty and justice as it sees fit. It pays little or no attention to the wishes of the people. The people are not governed by their own representatives.

But in the United States, even the President of the United States votes for those who are to represent him in our different government groups. His vote counts for no more than that of his neighbor. When the President votes, he proves that he too is one of the "governed." He has the same right as all other voters to help choose the representatives who are to govern.

THE PRINCIPLE OF A FEDERAL SYSTEM

In many countries, the central government uses such authority as it sees fit. It tells the other government groups what authority they may use. But this is not true in the United States.

Before the Constitution became law all the powers of government were in the hands of the people of the United States. The people, by the Constitution, divided those powers between the Nation and the States. They said that certain other powers should be used only by the people.

If the people want to give more authority to the Federal Government, they must amend the Constitution of the United States. And if the people want to take power away from the Federal Government, they must also change the Constitution. This is what is meant by our Federal System.

Many people have said that the power to govern could not be divided between two Government groups, each with the highest authority within its limits. But we have done it, and it has worked. The people of the United States have set up a system of government that is strong enough to rule our great Nation. Yet, the people have a government that is near enough to each citizen to know his or her needs. Our system has worked well over the years. We have proved to the world that different governments with different authority can work well side by side for the good of the whole people.

THE PRINCIPLE OF DELEGATED POWERS

The Federal Government has only such powers as are delegated to it by the people under the Constitution. It is not free to do what it pleases. Every act of the Congress, the President, and the Federal courts must find support in the Constitution of the United States. Ours is a government of delegated powers.

We have studied some of the powers. All of the powers of government that were not delegated to the Federal Government, or kept by the people, belong to the States. There are certain things that the Federal Government and the States may do. There are other things that neither government can do.

THE PRINCIPLE OF DIVIDED AUTHORITY

Not all of the authority that was delegated to the Federal Government can be used by any one branch. The authority of the Federal Government is divided among three branches. None has power to do the work of the other branches. The Congress makes the laws. The executive branch sees that they are enforced. The courts decide questions as to the meaning of the Constitution, laws, and treaties of the United States when they arise.

Our State governments are divided into the same three branches. But the Constitution of the United States does not command that it be done. Experience has proved that it is wise to arrange the powers of government in this manner. The plan has worked well.

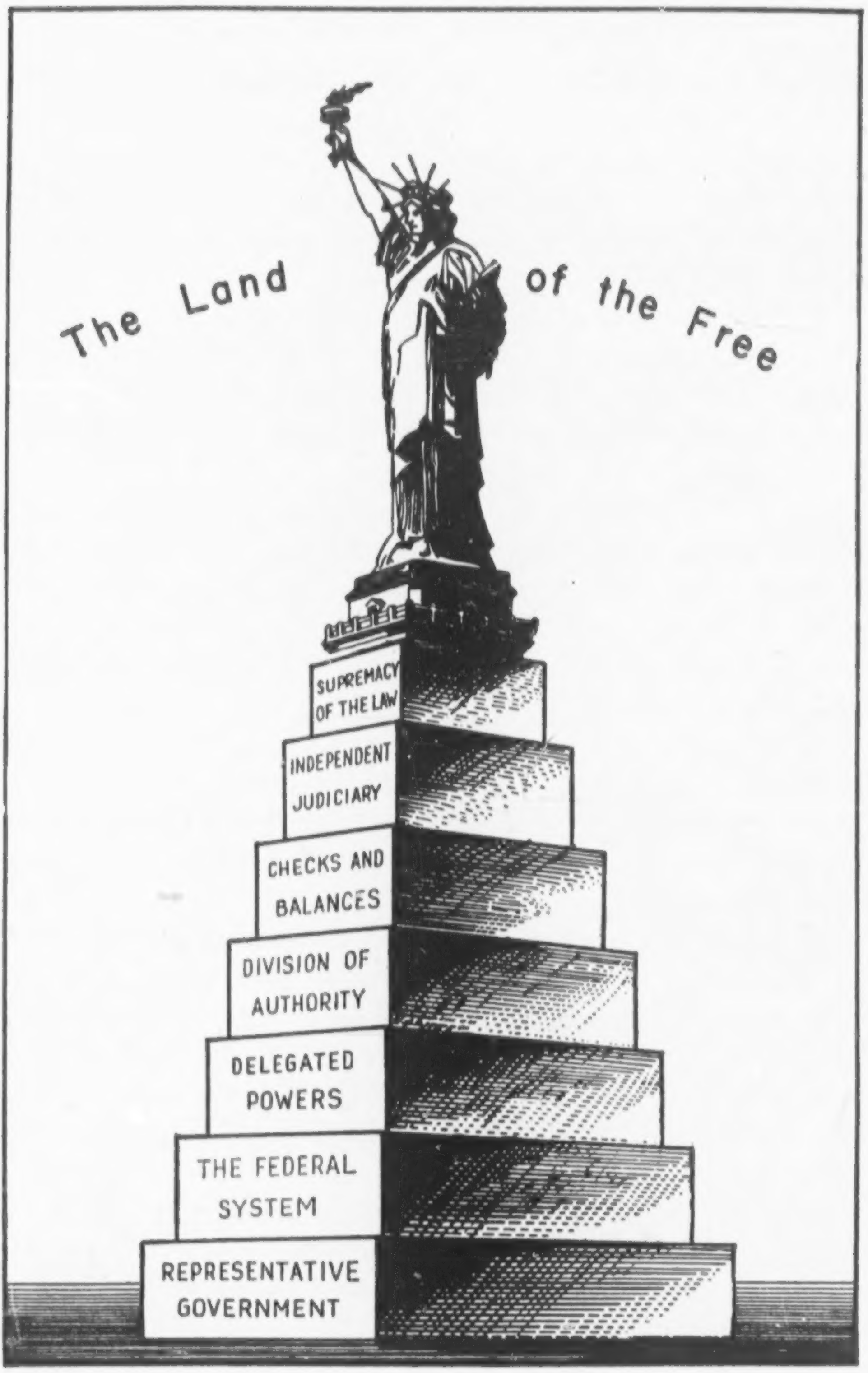


Figure 18

Some Basic Principles of Our Government

THE PRINCIPLE OF "CHECKS AND BALANCES"

When the Fathers of the Constitution divided the powers of the Federal Government among three branches, they did not make it complete. In other words, each branch is given some control over the other two. The Constitution tells how one branch may keep another branch from becoming too strong.

The two Houses of the Congress check each other. A bill must be passed by both Houses before it can become a law. The President may veto a bill that has passed the Congress. But the Congress can pass it over his veto by a two-thirds vote in each House.

Any Federal court, in deciding a case before it, may declare that a law of the Congress goes against the Constitution. The law may have been considered with care by the Congress and the President. But those who enforce the law must accept what the Supreme Court says is the law.

The President is given power to appoint officers of the Federal Government. But the Constitution says that the Senate must approve. The President may make treaties. But they must be approved by a two-thirds majority vote of the Senate.

The Congress may end a treaty by passing a law that opposes the treaty. The Constitution provides that the President is Commander in Chief of our Army and Navy. But only the Congress can declare war. And, if the President or any other officer of the United States commits treason or any other serious crime, he may be impeached.

These are some of the "checks" laid down in the Constitution. Their purpose is to keep a balance of power among the different branches of the Federal Government. No one branch can take over the work of the other branches of the Government. Experience has proved that the principle of "checks and balances" is a good one.

THE PRINCIPLE OF *INDEPENDENT* COURTS

The Federal courts were organized in an attempt to give the people "equal justice under the law." The judges of most Federal courts are appointed to serve during good behavior, and their pay cannot be reduced during their term of office.

The judge stands between the citizen and his Government when the Government seeks to punish him for breaking a law. The Constitution gives the judge a safe position so long as he obeys the law. He is, in general, free from influence by those who make or enforce the laws. He can do his duty without fear of what the Congress or the President may say or do.

THE PRINCIPLE OF THE *SUPREMACY* OF THE LAW

The Constitution, treaties, and laws of the United States are the highest law. No person in this country is so great that he can refuse to obey the law. No person is so poor that the law will not guard him in the exercise of his rights.

All of the officers in our government groups are expected to obey the Constitution and laws of the Nation. An officer can act only as the law gives him authority to act. Ours is a government of laws and not of men.

THE PRINCIPLE OF FREEDOM AND EQUALITY

The people of the United States are more free than in any other country. We are free to work and to play, to think and to talk. We are free to make plans to improve our lives and our families.

We believe that other persons should be as free as we are. It does not matter whether they are rich or poor. But "liberty means the liberty of others as well as that of self." Liberty is not complete. Experience has proved that we cannot enjoy our liberty unless we also respect the liberty of others. For every right that we have, there is also a duty to some other person or persons.

We are free to vote when we qualify. We may not like the way other people vote. But we must respect their right to vote. Their vote is equal to our vote. Our officers do not get their offices because they were born in certain families. Persons with equal votes have elected them to office.

THE PRINCIPLE THAT RIGHTS OF THE PEOPLE ARE TO BE PROTECTED BY THE GOVERNMENT

One of the most important basic principles is that the Government shall protect the people in the use of their rights. Many of the rights are set out in the Bill of Rights of the Constitution of the United States. Every State constitution also contains a list of them.

We are free in our right to speak, write, and print our opinions. Those rights are very important in a democracy. We often demand that the Government protect us in the use of those rights.

The Government cannot take our life, liberty, or property except in a manner provided by law. We are the masters of our own homes. An officer cannot search our houses or take our property without a written order from the Government. And the Government cannot punish us for a crime without a fair trial in open court.

THE PRINCIPLE THAT THE CONSTITUTION IS A LIVING *DOCUMENT*

The Fathers of the Constitution knew that changes would have to be made. In Article V they set out the way by which amendments can be added to the Constitution. We can change our Constitution as the Nation grows and develops.

Twenty-five amendments have been added to the Constitution. They made important changes in the authority of the Federal and State Governments and the way in which those Governments work. The meaning of the Constitution has also been developed in other ways. Customs, treaties, and laws have helped to explain what it means.

Because our Constitution can be changed by amendments and the Government can meet the needs of the people, we call the Constitution a living document. When we wish to make a change in our Constitution or Government we can do it in a quiet manner. We do not use force. We have strong ties to the past, but many of those ties have been broken. It has always been done in ways set out in the Constitution.

THE PRINCIPLE OF GOVERNMENT BY AND FOR THE PEOPLE

The Government is the servant of the people. It is organized to serve the people. The people are not the servants or slaves of the Government.

The doors of our public offices are open to the people. The people can always make their needs known. It is their Government. They can change it so long as they follow the rules set out by the Constitution.

There are representatives and officers who govern the people. But they do it only because the people agree. Government in the United States is by the people and for the people.

THINGS TO DO

Some questions to discuss in your study group:

1. Tell in your own words what a government "of the people, by the people, for the people," means to you.

2. Who holds the final authority in the United States? Why do the people delegate some of their authority to representatives? Why do we say that all Government officials are only the agents of the people?

3. Explain to a group of your friends what is meant by a "federal system of government." Give some examples of how it works. Why do we use this system in the United States?

4. Should the President give orders that go against the Constitution and laws of the United States? State the reasons for your answer.

5. Why did the Fathers of the Constitution divide the authority of the Federal Government among three branches? Do you think that they were wise in doing this?

6. Why should the courts be independent?

7. How many rights can you name that are guarded for you in the Bill of Rights?

8. Name some of the duties that you must carry out if you want to enjoy your rights.

9. What do we mean when we say that the "Constitution is a living document"? Give some of the ways by which the Constitution grows.

Complete each of the following:

1. Ten of the basic principles according to which our Government is set up and does its work are:

a. --
b. --
c. --
d. --
e. --
f. --
g. --
h. --
i. --
j. --

2. Two ways in which the Congress may be "checked" by the other two branches of the Federal Government are:

a. --
b. --

3. Two ways in which the President may be "checked" by the other two branches of the Federal Government are:

a. --
b. --

4. Two ways in which the Federal courts may be "checked" by the other two branches of the Federal Government are:

a. ---------------------------------------

b. ---------------------------------------

The Declaration of Independence

IN CONGRESS, JULY 4, 1776

The Unanimous Declaration of the Thirteen United States of America

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed,—That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.—Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies without the consent of our legislatures.

He has affected to render the military independent of and superior to the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States:

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

For depriving us in many cases, of the benefits of trial by jury:

For transporting us beyond seas to be tried for pretended offenses:

For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages and totally unworthy the head of a civilized nation.

He has constrained our fellow citizens taken captive on the high seas to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms: Our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

WE, THEREFORE, the Representatives of the United States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by authority of the good people of these Colonies, solemnly publish and declare, That these United Colonies are, and of right ought to be FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes and our sacred honor.

JOHN HANCOCK.

New Hampshire

JOSIAH BARTLETT
WM. WHIPPLE
MATTHEW THORNTON

Massachusetts Bay

SAML ADAMS
JOHN ADAMS
ROBT TREAT PAINE
ELBRIDGE GERRY

Rhode Island

STEP. HOPKINS
WILLIAM ELLERY

Connecticut

ROGER SHERMAN
SAML HUNTINGTON
WM. WILLIAMS
OLIVER WOLCOTT

New York

WM FLOYD
PHIL. LIVINGSTON
FRANS. LEWIS
LEWIS MORRIS

New Jersey

RICHD. STOCKTON
JNO WITHERSPOON
FRAS. HOPKINSON
JOHN HART
ABRA CLARK

Pennsylvania

ROBT MORRIS
BENJAMIN RUSH
BENJA. FRANKLIN
JOHN MORTON
GEO. CLYMER
JAS. SMITH
GEO. TAYLOR
JAMES WILSON
GEO. ROSS

Delaware

Caesar Rodney
Geo Read
Tho M'Kean

Maryland

Samuel Chase
Wm. Paca
Thos. Stone
Charles Carroll
of Carrollton

Virginia

George Wythe
Richard Henry Lee
Th Jefferson
Benja. Harrison
Thos. Nelson jr.
Francis Lightfoot Lee
Carter Braxton

North Carolina

Wm. Hooper
Joseph Hewes,
John Penn

South Carolina

Edward Rutledge
Thos Heyward junr.
Thomas Lynch junr
Arthur Middleton

Georgia

Button Gwinnett
Lyman Hall
Geo Walton

Constitution of the United States of America

PREAMBLE

WE THE PEOPLE of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.

The number of representatives shall not exceed one for every thirty thousand, but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

SECTION 3. The Senate of the United States shall be composed of two senators from each State, chosen by the legislature thereof, for six years; and each senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the concurrence of two thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.

SECTION 4. The times, places and manner of holding elections for senators and representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION 5. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and the nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION 6. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

SECTION 7. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States; if he approves he shall sign it, but if not he shall return it, with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post offices and post roads;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

To provide and maintain a Navy;

To make rules for the government and regulation of the land and naval forces;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings;—And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

SECTION 9. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto law shall be passed.

No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

No tax or duty shall be laid on articles exported from any State.

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another: nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the Treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any King, Prince, or foreign State.

SECTION 10. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II

SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected, as follows:

Each State, shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the State may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice President.

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

SECTION 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the Executive Departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SECTION 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION 4. The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III

SECTION 1. The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

SECTION 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more States;—between a State and citizens of another State;—between citizens of different States,—between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE IV

SECTION 1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION 2. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

No person held to service or labour in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due.

SECTION 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

Section 4. The United States shall guarantee to every State in this Union a republican form of Government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

Article V

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the Ninth Section of the First Article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

Article VI

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the

United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The senators and representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII

The ratification of the conventions of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in convention by the unanimous consent of the States present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty seven and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names,

GO. WASHINGTON—*Presid't.*
and deputy from Virginia.

Attest WILLIAM JACKSON *Secretary*

New Hampshire

JOHN LANGDON NICHOLAS GILMAN

Massachusetts

NATHANIEL GORHAM RUFUS KING

Connecticut

WM. SAML. JOHNSON ROGER SHERMAN

New York

ALEXANDER HAMILTON

New Jersey

Wil: Livingston
David Brearley
Wm. Paterson
Jona: Dayton

Pennsylvania

B Franklin
Thomas Mifflin
Robt Morris
Geo. Clymer
Thos. FitzSimons
Jared Ingersoll
James Wilson
Gouv Morris

Delaware

Geo: Read
Gunning Bedford jun
John Dickinson
Richard Bassett
Jaco: Broom

Maryland

James McHenry
Dan of St Thos. Jenifer
Danl Carroll

Virginia

John Blair—
James Madison jr.

North Carolina

Wm. Blount
Richd. Dobbs Spaight.
Hu Williamson

South Carolina

J. Rutledge
Charles Cotesworth Pinckney
Charles Pinckney
Pierce Butler.

Georgia

William Few
Abr Baldwin

Amendments

Article I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article II

A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

Article III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Article IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Article VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Article VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

Article VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Article XI

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

Article XII

The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President.—The person having the greatest number of votes as Vice President, shall be the Vice President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

Article XIII

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Article XIV

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each house, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Article XV

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

Article XVI

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

Article XVII

Section 1. The Senate of the United States shall be composed of two senators from each State, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Section 2. When vacancies happen in the representation of any State in the senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided,* That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

Section 3. This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the Constitution.

Article XVIII

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Article XIX

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Article XX

Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the

Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

Article XXI

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Article XXII

Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than 2 years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.

ARTICLE XXIII

SECTION 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State: and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XXIV

SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XXV

SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

SECTION 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

SECTION 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

SECTION 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

List Giving Meanings of Special Words Used

		Page
Abjure	to declare against a thing with God as a witness that you truly mean what you say	12
Abridging	making smaller; cutting down	43
Absolutely	free of any conditions; in a complete manner	12
Agent	one who acts for another with authority to act	65
Agriculture	growing and harvesting crops and raising and managing livestock; farming	119
Alien	citizen of another country	11
Allegiance	duty; loyalty; the tie which binds a citizen to his government	9
Amendment	a written change in a constitution	41
Articles of Confederation and Perpetual Union.	written statement of general principles under which the thirteen States agreed to work together after the Declaration of Independence	24
Assemble	meet together	43
Auditor	one who checks books of account to see whether they are correct	137
Authority	power to give orders which must be obeyed	2
Basic	of first importance; that which is needed first	176
Basis	one thing that supports another	104
Bill	form of suggested law as put before the lawmaking body	86
Bookkeeper	one who keeps accounts of a business	116
Borrows	gets the use of a thing from others for a time	116
Bribery	the giving or taking of money to influence official acts	90
Budget	statement of expected tax money and expected public bills for the coming year	158

		Page
Cabinet	the heads of the Executive Departments who advise the President and help him enforce the laws and treaties of the United States	37
Candidate	**a person who is put forward for public office**	**70**
Carriers	persons, companies or corporations in the transportation business	120
Census	official count of the whole people	88
Checks and balances.	ways laid down in the Constitution by which each of the three branches of the Federal Government can prevent the other two branches from acting too fast or using authority that they do not have under the Constitution	87
Citizenship papers.	papers given to persons who have been naturalized to show that they are citizens	11
Civil	having to do with private rights. Example: my right to buy and sell property is a civil right	137
Coin	make money	95
Colonies	groups of people that old countries allowed to settle in America, but who still owed duties to their home countries	15
Colonists	persons living in a colony	15
Commerce	trade between persons or groups of persons. Example: Commerce is buying and selling goods that are to be moved from one place to another	96
Commission	body given special power by government to do certain work, especially in a city government	145
Compromises	middle ways: choices between two claims that are different	27
Consent	say "yes"	20
Constitution	a plan of government	4
Continental Congress.	a group of representatives from the colonies who first met in 1774 to make plans to protect the rights of the colonies and who approved the Declaration of Independence in 1776	19
Convenience	having needed things ready and easy to use	134
Convention	a meeting of representatives	26
Cooperate	work together for one purpose	5

		Page
Council	a group of persons having authority to meet and consider important matters	142
County	part into which a State is divided for purposes of government	66
Crimes	acts or omissions forbidden by law	90
Criminal	having to do with the trial of lawbreakers	137
Declaration of Independence.	the public statement by which the Continental Congress declared the 13 Colonies to be free States	20
Declare	say	12
Delegate	pass on to others	4
Delegates	representatives to whom other persons give authority to represent them	26
Democracy	a government of the people, by the people, and for the people	4
Discuss	to talk about	7
Document	printed or written material that is an official record of something	182
Domestic tranquility.	peace at home or in the community	79
Election	selection by vote of a group	52
Electors	persons who are elected by the people to meet and select a President and a Vice President of the United States	36
Enforce	carry out; make certain that others obey	2
Entirely	completely; with full force and effect	12
Error	mistake	84
Establish	set up; build	79
Establishment	setting up; putting into effect	43
Evasion	keeping something back; not true because of some trick	12
Executive	officer or officers who carry out the laws	30
Explore	to travel in a new country; to discover	1
Federal System	a system by which the authority to govern is divided between the Federal and State Governments by the Constitution	51
Fidelity	being true to a thing; loyalty	12
Final	coming last	4
Financial	having to do with money matters	95
Freedom	liberty	43
Friendship	help	24
Great Britain	official title of political unity of England, Wales, and Scotland	16
Guilty	proved by court trial to have done wrong	137

		Page
Happiness	gladness; joy	81
Heretofore	up to this time; up to this point	12
Impeach	to accuse of wrongdoing	92
Incorporated	having authority from the State	146
Independent	not under another's control	181
Indians	the people living in America when the first groups arrived	1
Indirect	in a roundabout way	156
Inheritance	property left to someone by a person who has died	155
Invented	made something that has never been made before	126
Judicial	having to do with courts of justice	30
Judiciary	group of judges; system of courts	137
Jurisdiction	right to have control over a person or thing	10
Lawyers	persons who practice law	26
League	union; bond; tie	24
Legislative	lawmaking	30
Licenses	written authority given by the Government to do certain acts in a certain way or to carry on certain businesses	133
Local	special to some place; not general	16
Lumber	wood used to build houses and to make other things	15
Majority	more than one-half	51
Mayor	head officer in a city government under the mayor-council plan	144
Mental reservation	some thought which is kept to one's self; not made known to others	12
Misdemeanors	misbehavior; crimes less serious than felonies	90
Moral	having to do with questions of right and wrong	11
Naturalization papers	papers given to persons who have been naturalized to show that they are citizens	11
Naturalized	to be made a citizen by law	10
Neighborhood	some part of a town or country where people live close together. Example: Everything near you is in your neighborhood	2
Nominated	put forward; named by a group for an office	57

		Page
Oath	to say in God's name that a statement is true	12
Objectives	purposes; aims	76
Obligation	a promise that is put under oath	12
Official	made by the proper officers	88
Ordinances	laws made by local lawmakers; city laws	144
Organization	way in which a thing is arranged to do its work	15
Organized	set up according to certain fixed rules	4
Parliament, the	name for the British lawmaking group	16
Passport	official paper given by a government to a citizen when he wishes to travel in foreign countries, showing that the government will help him while he is in foreign countries	116
Patent	statement in writing given by the Department of Commerce to a person who has invented something new. The written statement gives him the right to control the use and sale of the thing	126
Peaceably	in a quiet way	43
Petition	to ask in writing	11
Pilgrims	the 102 persons who left the Church of England and settled in New England in order to be free in the way they worshipped God	2
Platforms	written statements of the things for which a political party stands	70
Political parties	groups of persons who agree that the Government should be run in a certain way and who try to get their own members elected to public offices	70
Population	total number of people in a certain place	28
Posterity	our children, and their children, and so on	81
Potentate	one who rules with great authority	12
Preamble	an opening statement	76
Press, the	newspapers in general; those who print things that are to be read	43
Problems	troubles; questions	135
Proceedings	records of business done in courts	163
Products	things made by nature or by man	118
Prohibiting	not allowing	43
Pro tempore	**a Latin phrase meaning, for the time being**	113

		Page
Puritans	one group of persons who left England because they were not allowed to worship God as they pleased	15
Pursuit	search for	81
Quakers	one group of persons who left England because they were not allowed to worship God as they pleased; church group called the Society of Friends. The members use no regular form of worship	2
Qualifications	things which a person must have or do in order to hold a certain position	13
Qualified	worthy; suitable; of use	9
Redress of grievances.	changes in the laws to end troubles	43
Reduced	made less; cut down	127
Religion	what we believe about God; worship	43
Renounce	give up; make clear that one will have nothing more to do with	12
Republic	a system of representative government	10
Reside	make their home and live	10
Revolutionary War.	the war which the Thirteen Colonies won against Great Britain in 1783	21
Safety	being free from danger	134
Secure	make safe; get and keep	81
Session	meeting	19
Sex	physical difference between male and female	53
Slavery	owning persons as property	52
Sovereignty	the final authority over persons or things	12
Speaker, the	the officer who is president of the House of Representatives	98
Supremacy	above other things or persons	181
Thereof	of that	43
Tobacco	a plant the leaves of which, when dried, may be smoked or chewed by people	15
Treason	giving help to the enemies of the country	90
Treasury, Department of the	department that looks after money matters of the United States	116
Treaty	an important written statement made and signed in regular form between two or more nations by which they agree to do or not to do certain things	21

		Page
Trial	a law case being heard by a court	47
Urban	relating to cities and towns	120
Veto	statement that something is not to be done; refusal to sign a bill	56
Vote	to choose; to select	51
Worship	formal way of honoring a supreme being	1

INDEX

Page

- Abbott, Lyman 15
- Adams, John 36, 190
- Adams, Samuel 190
- Agriculture, Department of:
  - **Purposes of** 118
  - **Services of** 118, 171
- **Aliens, Privileges of** 129, 210
- **Allegiance, Oath of** 12
- Amendments to the Constitution:
  - Articles XI to XXV 50–53, 62, 68, 207–215
  - Authority for 41, 50, 204
  - Bill of Rights, The 42, 207–208
- American's Creed 64
- Articles of Confederation and Perpetual Union:
  - Influence on Constitution 30, 60, 76, 86, 104
  - Plan of Government 24–26
  - Weakness of 25, 122
- Authority:
  - Final and Delegated 4, 10, 59–66
  - Federal Government 38, 59–62, 95–131, 195–201
  - Other government groups 63–65, 132–150
  - State Governments 63, 132–140, 208

- Baldwin, Abraham 206
- Bartlett, Josiah 190
- Bassett, Richard 206
- Bedford, Gunning, Jr 206
- Beecher, Henry Ward 161
- Bill becomes law 86, 99–101, 195
- Bill of Rights:
  - First 10 Amendments 42–48, 98, 207, 208
  - Rights of Englishmen 17, 45
- Blair, John 206
- Blount, William 206
- Braxton, Carter 191
- Brearley, David 206

Page

- Broom, Jaco 206
- Bryce, James 50, 59
- Budget, Federal 158
- Butler, Pierce 206

- Cabinet of the President:
  - **Chart** 115
  - **Duties of Members of** 113–120
  - **First Cabinet** 37, 113
- Calhoun, John C 95
- Canada:
  - British control of 16, 80
  - French colonists in 16
- Carroll, Charles 191
- Census: Representation based on 88, 119, 192
- Certificate of naturalization 13
- Charters:
  - City 63
  - Colonists 188
- Chase, Samuel 191
- Citizen, United States:
  - Authority of 9, 68–74
  - Chart of 6
  - Duties and rights of 9
  - How to become 10–11
  - Public services for 169–174
  - Who are 10, 210
  - Who may be 11, 96
  - Who may not be 11
- Citizenship papers 12–13
- City Governments:
  - Authority 63
  - Charts 143, 147
  - Charters 63
  - City Manager plan 145
  - Commission plan 145
  - Mayor-Council plan 142
  - Special services through 141–142, 151, 157
- Claims, Court of 126
- Clark, Abraham 190
- Clymer, George 190, 206

Page

- Colonies, Early American:
  - Dutch in New York 16
  - Englishmen's Rights in 17, 45
  - Finns in Delaware 16
  - Government of 16
  - King's taxes in 16
  - Pilgrims and Puritans in Massachusetts 2, 15
  - Quakers in Pennsylvania 2, 15
  - Roman Catholics in Maryland 16
  - Spanish in Florida 16
  - Swedes in Delaware 16
  - Virginia colonists 15
- Colonies, The Thirteen 16, 21
- Commerce, Authority over 96, 196
- Commerce, Department of:
  - Duties of 118–119
  - Services of 173, 174
- Committees, Congressional: Duties of 99–101
- Congress of the United States, The:
  - Charts of 85
  - Committees of 99–101
  - First 36
  - Meeting of 89, 194, 213
  - Oath of Members and officers 205
  - Officers of 98
  - Organization of 84–88
  - Powers delegated to 10, 61, 95–98, 195–196, 209–214
  - Powers denied to 97, 195, 207–208
  - Qualifications of Members of 87, 192–193
  - Sessions of 89, 201, 213
- Connecticut 21, 25, 34, 36
- Constitution of the United States:
  - Growth by amendments 50–53
  - Growth by other means 53–57
  - Ideas in 37
  - Objectives of 5, 76–82, 192
  - Preamble—Chart 77
  - Principles in 38, 176–183
  - Ratified by States 33–36, 205
  - Signing of 28
  - Sources of 30, 86
  - Supreme law of the United States 39, 181, 204
  - Text of 192–205

Page

- Constitutional Convention of 1787:
  - Compromises of 27
  - Delegates to 26
  - Examples followed by 30
  - Questions before 25–28
- Continental Congresses, The 19, 86
- Cooley, Thomas M 41
- County Governments:
  - Authority of 146
  - Duties of officers of 146, 148
- Courts:
  - Chart of Federal 124
  - City 145
  - Federal, regular 123–125, 181, 202
  - Federal, special 125
  - State 137
  - Supreme Court 56, 93, 123, 202
- Customs, Court of 126

- Dayton, Jona 206
- Declaration of Independence 20
  - Influence on Constitution 24, 30, 79
  - Text of 186–191
- Defense, Department of:
  - Services of 116–117
- Delaware 16, 21, 34
- Democracy:
  - Authority in a 45, 60
  - Education and 134
  - Representative 10
  - Rights in a 68–74
  - Spirit of 71
- Dickinson, John 206
- District of Columbia 97, 107, 197

- Early groups in America 1–2, 15–16
- Education 134, 144, 146
- Electors 36, 106, 107, 199, 209, 215
- Ellery, William 190
- Emerson, Ralph Waldo 1
- "E Pluribus Unum" 165
- Executive Departments of Federal Government 113–120
  - Agriculture 118
  - Chart of 115
  - Commerce 118
  - Defense 116–117
  - Health, Education, and Welfare 119

Page
Executive Departments Etc.—Con.
  Housing and Urban Development 119
  Interior 117
  Justice 117
  Labor 118–119
  State 114
  Transportation 119–120
  Treasury 116

Federal Government:
  Authority for 10, 59–62, 95–98, 192, 199, 202
  Chart of 29
  Congress, The. (*See* Congress of the U.S.)
  Cooperation with States 162, 163
  Courts, the Federal 62, 122–129, 202
  Dealings with foreign countries 80, 96, 110, 114–116, 196, 201–202
  Objectives 36, 37, 42–48, 76–82, 192
  Organization—Federal system of 36, 51, 76, 177
  President, The 62, 104–111, 199–202
  Principles 4, 38, 176–183
Few, William 206
FitzSimons, Thomas 206
Florida 16, 80
Fourth of July 20–22
Franklin, Benjamin 26, 28, 190, 206
French and Indian War 16, 46

Georgia 21, 34, 35, 87
Gerry, Elbridge 190
Gilman, Nicholas 205
Gorham, Nathaniel 205
Government:
  Authority for city 63, 141–145
  Authority for county and town 63, 145–148
  Authority for Federal 37, 59–61, 95–98, 192, 199, 202
  Authority for State 63, 132–138, 208

Government groups:
  Authority of 4, 10, 15
  Chart of 6, 29
  Constitution in 4

Page
Government Groups—Continued
  Cooperation among 5
  Cooperation with other 3, 5
  Delegated authority of 4
  Membership in 9, 10
  Obligations of members of 9, 42–48
  Organization of 4, 37
  Principles of 3–5, 37
  Purposes of 3, 4, 37
  Qualifications of members of 9–10
  Rights of members of 9–10, 42–48
Great Seal of the United States 116, 165
Groups:
  Authority in 2, 4, 9
  Church 2
  Cooperation in 5
  Early American 1, 2, 15, 16
  Government. (*See* Government Groups.)
  Group Life 37
  Neighborhood 2
  Organization for 4, 9
  Purposes of 3, 9
  Qualifications of members in 9
  Rights and duties of members of 9–10, 142
  Work 2
Gwinnett, Button 191

Hall, Lyman 191
Hamilton, Alexander 26, 36, 37, 122, 205
Hancock, John 190
Harrison, Benjamin 191
Hart, John 190
Health:
  Governments cooperate for 120, 161, 166, 170, 173
  Local governments guard 142, 152
Health, Education, and Welfare, Department of:
  Services of 119
Hewes, Joseph 191
Heyward, Thos., Jr 191
Holmes, Oliver Wendell, Jr 132
Hooper, William 191
Hopkins, Stephen 190
Hopkinson, Francis 190
Housing and Urban Development, Department of:
  Services of 119

Page
Huntington, Samuel 190

Immigration and Nationality Act of 1952 11
Immigration and Naturalization Service 13, 117
Impeachment 90, 180, 193, 194, 201, 202
Independence:
  Colonies win 21
  Day 22
  Declaration of, The 20, 81, 165, 186–190
  Independence Hall, Philadelphia 26
  War for 21
Indians 1, 16, 27, 189, 196
Ingersoll, Jared 206
Interior, Department of:
  Purposes of 118
  Services of 118, 173

Jackson, William 205
Jefferson, Thomas 20, 37, 84, 191
Jenifer, Dan of St. Thos 206
Johnson, William Samuel 205
Judges, Federal Court 181, 202
Justice, Department of:
  Attorney General 117
  Purposes of 117
  Services of 117–118

King, Rufus 205

Labor, Department of:
  Purposes of 119
  Services of 119, 171
Langdon, John 205
Lapp, John A 151
Laws, Circle of 6
Lee, Francis Lightfoot 191
Lee, Richard Henry 191
Lewis, Francis 190
Lincoln, Abraham 113
Livingston, Philip 190
Livingston, William 206
Local Governments:
  City 141–145
  County 146
  Village, town, township 146
Louisiana Territory 80
Lynch, Thomas, Jr 191

Page
Madison, James 26, 206
Majority, Rule of the 69–70, 107
Majority 41, 51, 107, 195, 196, 199
Marshall, John 176
Maryland 16, 21, 26, 34
Massachusetts 15, 21, 27
McHenry, James 206
M'Kean, Thomas 191
Middleton, Arthur 191
Mifflin, Thomas 206
Morris, Gouverneur 28, 206
Morris, Lewis 190
Morris, Robert 190, 206
Morton, John 190

Naturalization:
  Authority 10, 96, 196
  Certificate of 13
  King George III hindered 187
  Limitation on 11
  Petition for 11
  Qualifications of applicant for 11–12
Naturalization papers 13
Nebraska 136
Neighborhood groups 2
Nelson, Thomas, Jr 191
Nevada 88
New England town government 146
New Hampshire 21, 34, 36
New Jersey 16, 21, 25, 27, 34
New York 16, 21, 25, 26, 34, 36, 88, 164
New York City 36
North Carolina 21, 34, 36

Oath:
  Allegiance 12
  Government officers under 205
  Of office of President 107, 200

Paca, William 191
Page, Walter Hines 24
Page, William Tyler 64
Paine, Robert Treat 190
Parliament, British 16, 17, 19
Party System, The:
  Candidates 70–72, 106–107
  Elections 70, 106–108
  Growth of Constitution through 57
  Platforms 70, 72, 106
  President's authority through 106

Page
  Voters 70–71, 106–107
Paterson, William 206
Penn, John 191
Penn, William 68
Pennsylvania 16, 21, 34, 87

People, The:
  Authority, delegated 59–66, 95–98, 108–111, 127–129
  Duty to obey laws 79, 104, 128, 137, 181
  Final authority of 59–61, 68–74
  Rights protected 128, 129, 176–178
  Served by the governments 178
Philadelphia 19, 26
Pilgrims 2, 15
Pinckney, Charles 206
Pinckney, Charles Cotesworth 206
Plurality 70

President of the United States:
  Authority of 104–111, 199
  Cabinet of 37, 113–120
  Chart of office of 115
  Duties 201
  Election of 106–107, 199, 209, 214
  First 37
  Nomination of 106
  Oath of 107–200
  Qualifications 106, 200

Principles of United States Government:
  Chart 179
  Checks and balances 38–39, 92–93, 109–110, 180
  Constitution a living document 38, 182, 204
  Delegated powers 59–66, 178, 196–197, 201
  Division of authority 38, 61–63, 177, 192, 199, 202
  Federal system 76–82, 177
  Freedom and equality 177, 181, 207–208, 210–211, 213
  Government by and for the people 38, 183
  Independent courts 181
  Representative government 10, 59, 176, 210
  Rights of the people protected 42–48, 208–209
  Supremacy of the law 181
Puritans 15

Quakers 2, 15

Read, George 191, 206
Representative government 176–177
Representatives, United States:
  How elected 88, 192–193
  Number of 88, 192–193
  Qualifications of 87, 192
  Term of office of 89, 192
Republic 10
Republican form of government 132, 176, 204
Revolutionary War 21
  Treaty of Peace after 21–22
Rhode Island 21, 26, 34, 36
Rodney, Caesar 191
Roosevelt, Theodore 9
Ross, George 190
Rousseau, Jean Jacques 169
Rule of the majority 69–70, 107
Rush, Benjamin 190
Rutledge, Edward 191
Rutledge, John 206

Senators, United States:
  Election of 88, 193, 212
  Number of 88, 193, 212
  Qualifications of 87, 193
  Term of office of 89, 193, 212
Sherman, Roger 190, 205
Smith, James 190
Spaight, Richard Dobbs 206
State, Department of:
  Purposes of 114
  Services of 114, 116
Sessions of Congress 89, 102, 193
South Carolina 21, 34
State Government:
  Authority of 52, 63, 132–138, 203, 208, 212
  Authority denied 52, 196–198, 203
  Constitutions of 30, 42, 63, 132–138
  Cooperation with Nation of 161–167
  Executive branch of 137
  Federal System in 162
  Judicial branch of 137
  Lawmaking branch of 136
  Oath of officers of 205
  Purposes of 132
  Services by 133–138

Page

- States:
  - Admission to Union of 203
  - Cooperation among 163–166, 203
  - Equality of 163
  - First Thirteen 132
  - Guarantees by Nation to 79–80, 132, 162, 204
- Stockton, Richard 190
- Stone, Thomas 191
- Taft, William Howard 104
- Taxes:
  - King's, The 16, 188
  - Sources of local 153–157
  - Sources of Federal 153–157, 192, 196, 198, 211
  - Sources of State 133, 153–157
  - Stamp 16–19
  - Tea 19
- Taylor, George 190
- Texas 88
- Thornton, Matthew 190
- Town governments 146
- Treasury, Department of:
  - Purposes of 116
  - Services of 116
- Transportation, Department of:
  - Services of 120
  - Purposes of 120
- United States:
  - Air Force 108, 116
  - Army 108, 116
  - Government, (*See* Federal Government.)
  - Navy 108, 116
- Vice President of United States:
  - Duties of 98, 193
  - Election of 51, 209–210

Page

- Vice President of United States—Continued
  - First 36
  - Qualifications of 104, 209
- Village governments 146
- Virginia:
  - Colony and State 15, 21, 26, 34
  - Yorktown, surrender at 21
- Voters:
  - Forming opinions of 72
  - Qualifications of 68
  - Rights protected by Constitution 53, 211, 213
  - Use final authority of "The People" 68–74
- Walton, George 191
- War:
  - French and Indian 16, 46
  - French and Spanish 21
  - Revolutionary, The 21–22
- Washington, D.C 97, 107
- Washington, George:
  - First President of the United States 36
  - Leader of the Continental Army
  - President of Constitutional Convention 26
  - Signer of Constitution 205
- Webster, Daniel 33, 76, 141
- Whipple, William 190
- Williams, William 190
- Williamson, Hu 206
- Wilson, James 190, 206
- Wolcott, Oliver 190
- Witherspoon, John 190
- Wythe, George 191

U.S. GOVERNMENT PRINTING OFFICE: 1970 O—410-744